

**Nell Brown**  
**Assistant Federal Public Defender**  
**101 SW Main Street, Suite 1700**  
**Portland, Oregon 97204**  
**Tel: (503) 326-2123**  
**Fax: (503) 326-5524**  
**Email: nell\_brown@fd.org**

**Attorney for Petitioner**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**

**RICHARD F. WEAVER, JR.**

**Petitioner,**

**v.**

**BRIGITTE AMSBERRY, Warden,**  
**Two Rivers Correctional Institution,**

**Respondent.**

**Case No. 2:16-cv-02226-MO**

**EXHIBITS IN SUPPORT OF**  
**PETITIONER'S MOTION FOR**  
**RELEASE PENDING APPEAL**

Petitioner submits the following exhibits in support of his Motion for Release Pending Appeal in the above-captioned matter.

| <u>Exhibit</u> | <u>Description</u>  | <u>Page</u> |
|----------------|---|-------------|
| Exhibit A      | Oregon Dept. of Corrections Programming Records           | 2           |
| Exhibit B      | Reference Letters   | 25          |
| Exhibit C      | Iron Tribe Housing Agreement                              | 34          |
| Exhibit D      | Community Support Letters                                 | 41          |
| Exhibit E      | Full Circle Society Mission Statement and Program Outline | 47          |
| Exhibit F      | Information Regarding Medical Issues                      | 54          |

Respectfully submitted on March 14, 2022.

/s/ Nell Brown

Nell Brown

Attorney for Petitioner


# **Petitioner's Exhibit A**

*Thanks*  
*to*  
*Richard Weaver*

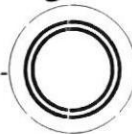
for participating in the  
High Desert Toastmaster's  
*The benefits of prosocial interaction through  
impression management"*  
Event



May 6, 2017

  
Ed Keeney, DTM <sup>12</sup>  
High Desert Club Liaison

# *Certificate of Completion*



*This Certificate is Awarded to*

**RICHARD WEAVER**

In recognition of your participation in and successful  
completion of the Blood borne pathogen training at  
Two Rivers Correctional Institution (TRCI).



*Hardy*  
D HARDY, RN (08/2017)



November 09, 2021



CHEMEKETA COMMUNITY COLLEGE  
College Inside Application

Rick Weaver,

Your application for Chemeketa's College Inside program has been received and was not selected at this time for the upcoming term. You are invited to reapply once College Inside is open to applications again.

Please do not be discouraged, this particular round of applications was extremely competitive with less openings than prior terms due to COVID19-related factors at the DOC. We will be opening for applications again in the future and hope that you consider applying again.

If your release date is coming up soon, this could be the reason why your application was not selected as there may not be enough time left in your sentence to complete the program "inside." Please consider applying for Chemeketa upon release in this case!

Thank you for your time and please contact the education department or your correctional counselor if you have any questions,

Sincerely,

- *Chemeketa Community College, College Inside*

Location: 4000 Lancaster Drive NE, Salem, OR  
Mailing Address: PO Box 14007, Salem, OR 97309-7070  
General Information: 503.399.5000

Offender ID..... 8855258 Weaver, Richard Francis Jr AIC(13-32B) OSCI  
Counselor. S MERRELL 503-373-0189 LOW  
Date..... 10/25/2021 Caseload.. 00346 Class.. 4  
Institution admission. 10/25/2011  
137.635; N 137.700: Y Projected release..... 5/21/2035  
Compliant hours: 56.0  
Review period..... 4/25/2021 to 10/25/2021 AMENDED: | |

RECOMMENDATION SECTION

Comments: \_\_\_\_\_

Final Review: Y ☒ N

Programming Retraction of "C" Review: \_\_\_\_\_

OCP Compliance: Non-Compliance ☒ Compliance

Institution Conduct(#of DR's): \_\_\_\_\_ Non-Compliance ☒ Compliance

Final Determination: | | None 0%

| | Partial 10% for Sentence Eligible for 20% Earned Time  
15% for Sentence Eligible for 30% Earned Time

☒ Full 20% or 30% Based on Sentence Eligibility

Signature: \_\_\_\_\_ Date: 11/22/21  
Designee

RECORDS SECTION

Current Earned Date: 5/21/35

Current Proj Rel Dt: 5/21/35 ☒ AIC Not Eligible for Sentence Reduction During this Review

Print Face Sheet: Y ☒ N

Guidelines for review contained in Division Rule #97.

CD 1154D

May. 25. 2021 10:58AM

DOC: CSCI C3FZ007CR 5035706904

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BAGHOOMA

Corrections Information Systems  
Earned Time Computation Form

5/24/21  
10:23:21  
Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr AIC(11-48B) OSCI  
Counselor. S MERRELL 503-373-0189 LOW  
Date..... 4/25/2021 Caseload.. 00346 Class.. 4  
Institution admission. 10/25/2011  
137.635: N 137.700: Y Projected release..... 5/21/2035  
Compliant hours: .0  
Review period..... 10/25/2020 to 4/25/2021 AMENDED: | |

| TYPE | PROGRAM  | SECTION    | DESCRIPTION             | ENTRY DATE | EXIT DATE | CODE |
|------|----------|------------|-------------------------|------------|-----------|------|
| JOB  | PHYSPLNT | LAWNGARDEN | Lawns and Gardens       | 10/24/2020 | 2/17/2021 | SEGR |
| PRIV | MEALS    | BREAKFAST2 | Early rel PHYSICAL PLAN | 10/24/2020 | 2/17/2021 | SEGR |
| PRIV | MEALS    | LUNCH04    | Early rel PHYSICAL PLAN | 10/24/2020 | 2/17/2021 | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Unit 5 Segregation      | 2/17/2021  | 2/18/2021 | MJOB |
| IDLE | REVIEW   | REVIEW     | AICs on Review Status   | 2/18/2021  |           |      |



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Corrections Information System  
 Earned Time Computation Form

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 Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr AIC(11-08B) OSCI  
 Counselor. S MERRELL 503-373-0189 LOW  
 Date..... 10/25/2020 Caseload.. 00346 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: 40.0  
 Review period..... 4/25/2020 to 10/25/2020 AMENDED: | |

| TYPE | PROGRAM  | SECTION    | DESCRIPTION             | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|-------------------------|------------|------------|------|
| RELI | RELI     | NATIVE 01  | Drum/Talking Circle     | 1/13/2020  | 9/12/2020  | SEGR |
| RELI | RELISVCS | NATIVE 01  | Sweat Lodge             | 1/13/2020  | 9/12/2020  | SEGR |
| RELI | RELI     | ACTIVITY07 | Refuge Recovery (Buddhi | 1/31/2020  | 9/12/2020  | SEGR |
| RELI | RELISVCS | BUDDHIST01 | Buddhist Meditation     | 1/31/2020  | 9/12/2020  | SEGR |
| RELI | RELI     | MEDIT 02   | General Meditation      | 3/04/2020  | 9/12/2020  | SEGR |
| JOB  | INSTSERV | ORDERLY4   | Assitive Living Orderli | 5/01/2020  | 6/25/2020  | MJOB |
| JOB  | MOD OPS  | MOD OPS 14 | modified operations cov | 6/26/2020  | 8/26/2020  | MJOB |
| JOB  | PHYSPLNT | LAWNGARDEN | Lawns and Gardens       | 8/27/2020  | 9/12/2020  | SEGR |
| PRIV | MEALS    | BREAKFAST2 | Early rel PHYSICAL PLAN | 8/27/2020  | 9/12/2020  | SEGR |
| PRIV | MEALS    | LUNCH04    | Early rel PHYSICAL PLAN | 8/27/2020  | 9/12/2020  | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Inmates Sanctioned to D | 9/12/2020  | 9/14/2020  | EMRG |
| JOB  | PHYSPLNT | LAWNGARDEN | Lawns and Gardens       | 9/22/2020  | 10/04/2020 | HSMD |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/13/2020 | 10/13/2020 | TEMP |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/14/2020 | 10/14/2020 | TEMP |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/15/2020 | 10/15/2020 | TEMP |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/16/2020 | 10/16/2020 | TEMP |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/19/2020 | 10/19/2020 | TEMP |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/20/2020 | 10/20/2020 | TEMP |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/21/2020 | 10/21/2020 | TEMP |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/22/2020 | 10/22/2020 | TEMP |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/23/2020 | 10/23/2020 | MJOB |
| IDLE | A&O      | A&O        | Admissions & Orientatio | 10/23/2020 | 10/23/2020 | TEMP |
| JOB  | MOD OPS  | MOD OPS 18 | modified operations cov | 10/23/2020 | 10/23/2020 | TEMP |
| JOB  | PHYSPLNT | LAWNGARDEN | Lawns and Gardens       | 10/24/2020 |            |      |
| PRIV | MEALS    | BREAKFAST2 | Early rel PHYSICAL PLAN | 10/24/2020 |            |      |
| PRIV | MEALS    | LUNCH04    | Early rel PHYSICAL PLAN | 10/24/2020 |            |      |

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Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(4-48B ) OSCI  
 Counselor. S MERRELL 503-373-0189 LOW  
 Date..... 4/25/2020 Caseload.. 00346 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: .0  
 Review period..... 10/25/2019 to 4/25/2020 AMENDED: | |

| TYPE | PROGRAM  | SECTION    | DESCRIPTION              | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|--------------------------|------------|------------|------|
| RELI | RELISVCS | NATIVEPRG2 | Native Program pm        | 1/18/2018  | 11/22/2019 | SEGR |
| RELI | RELISVCS | DRUMWSHP01 | Drumming Worship         | 1/18/2018  | 11/22/2019 | SEGR |
| INST | INST-ACT | INCYR3WE03 | Level 3 Act Wednesday 1: | 4/16/2019  | 11/22/2019 | SEGR |
| IDLE | WAITLIST | WAITCLEAN  | W/L for Clean crew 1,2,  | 8/08/2019  | 11/25/2019 | SEGR |
| IDLE | WORKPOOL | WORKPOOL   | ANY CLASS LEVEL INMATES  | 9/05/2019  | 11/25/2019 | MBED |
| RELI | RELISVCS | VEDANTA01  | Vedanta                  | 9/11/2019  | 11/22/2019 | SEGR |
| INST | INST-ACT | ACTIVITY01 | Monday 6-8:00 pm Movie   | 11/15/2019 | 11/21/2019 | SUCC |
| RELI | RELISPEC | NATVTLKCRL | Native American Talking  | 11/21/2019 | 11/22/2019 | SEGR |
| RELI | RELISPEC | NATVTLKCRL | Native American Talking  | 11/22/2019 | 11/22/2019 | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio  | 11/22/2019 | 1/09/2020  | ADMN |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio  | 12/05/2019 | 1/09/2020  | ADMN |
| IDLE | A&O      | A&O        | Admissions & Orientatio  | 1/09/2020  | 2/24/2020  | SUCC |
| RELI | RELIACT  | NATIVE 01  | Drum/Talking Circle      | 1/13/2020  |            |      |
| RELI | RELISVCS | NATIVE 01  | Sweat Lodge              | 1/13/2020  |            |      |
| RELI | RELIACT  | ACTIVITY05 | Gender Studies (C.A.G.E  | 1/31/2020  | 2/03/2020  | DDRP |
| RELI | RELIACT  | ACTIVITY06 | Calvary Chapel           | 1/31/2020  | 3/02/2020  | DDRP |
| RELI | RELIACT  | ACTIVITY07 | Refuge Recovery (Buddhi  | 1/31/2020  |            |      |
| RELI | RELISVCS | BUDDHIST01 | Buddhist Meditation      | 1/31/2020  |            |      |
| RELI | RELISPEC | SPECIAL 02 | Kirtan                   | 2/14/2020  | 3/19/2020  | SUCC |
| JOB  | KITCHEN  | LINESRVNN5 | Line Server Noon Wed./   | 2/21/2020  | 2/24/2020  | MJOB |
| RELI | RELIACT  | MEDIT 02   | General Meditation       | 3/04/2020  |            |      |
| JOB  | INSTSERV | ORDEMEDI01 | Special needs ord(unit1  | 4/04/2020  | 4/24/2020  | MJOB |



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Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(DS143 ) TRCI  
 Counselor. H.DEMOS LOW 541-922-6044  
 Date..... 10/25/2019 Caseload.. 14018 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: .0  
 Review period..... 4/25/2019 to 10/25/2019 AMENDED: | |

| TYPE | PROGRAM  | SECTION    | DESCRIPTION              | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|--------------------------|------------|------------|------|
| INST | INST-ACT | BAND PW 2  | POW WOW BAND 2 THUR 830  |            | 8/15/2019  | EAPP |
| RELI | RELI-ACT | SPIRITBEAD | Spirit beading Mon 1-4p  |            | 4/25/2019  | EAPP |
| INST | INST-ACT | ARTPROGR02 | Mural Project            |            | 6/20/2019  | DDRP |
| RELI | RELISVCS | NATIVEPRG2 | Native Program           | 1/18/2018  | 11/22/2019 | SEGR |
| RELI | RELISVCS | DRUMWSHP01 | Drumming Worship         | 1/18/2018  | 11/22/2019 | SEGR |
| RELI | RELI-ACT | MUSCTHRPY  | MusicTherapy&PercusionM  | 1/18/2018  | 9/09/2019  | SUCC |
| JOB  | ORDERLYS | CLEANCREW3 | Cleaning Crew 3 days/wk  | 5/24/2018  | 6/18/2019  | MJOB |
| INST | INST-ACT | INCYR3WE03 | Level 3 Act Wednesday 1: | 4/16/2019  | 11/22/2019 | SEGR |
| INST | INST-ACT | ACTIVITY10 | Toastmasters 10/26       | 4/26/2019  | 6/06/2019  | SUCC |
| INST | INST-ACT | ACTIVITY08 | Activity Night 10/30 Jo  | 5/14/2019  | 5/17/2019  | SUCC |
| RELI | RELISPEC | TLKCRCL01  | Native Amer. Talk Circl  | 5/14/2019  | 5/21/2019  | SUCC |
| RELI | RELISPEC | VENDANTA01 | VendantaService MON7/22  | 5/15/2019  | 5/21/2019  | DDRP |
| INST | INST-ACT | ACTIVITY08 | Activity Night 10/30 Jo  | 5/31/2019  | 6/07/2019  | SUCC |
| JOB  | UNIT 13  | ORDERLY 03 | Unit 13 Orderlies        | 6/18/2019  | 7/01/2019  | CSEC |
| EDUC | WFDASSM  | CASASTST08 | CasasTest                | 6/20/2019  | 6/24/2019  | SUCC |
| JOB  | UNIT 13  | ORDERLY 07 | Unit 13 Orderly          | 7/01/2019  | 8/14/2019  | MEDC |
| RELI | RELISPEC | SPIRTWALK1 | SPIRIT WALK 7/10-12 201  | 7/09/2019  | 7/12/2019  | SUCC |
| RELI | RELISPEC | VENDANTA01 | VendantaService MON7/22  | 7/19/2019  | 7/24/2019  | SUCC |
| INST | INST-ACT | ACTIVITY01 | Monday 6-9:00 pm         | 7/26/2019  | 7/31/2019  | SUCC |
| RELI | RELISPEC | NATVTLKRL  | Native American Talking  | 8/02/2019  | 8/08/2019  | SUCC |
| RELI | RELI-ACT | POWWOWDRUM | POW WOW DRUMMERS WED 10  | 8/08/2019  | 8/21/2019  | SUCC |
| IDLE | WAITLIST | WAITCLEAN  | W/L for Clean crew 1,2,  | 8/08/2019  |            |      |
| IDLE | MEDIDLE  | MEDICAL    | Medically restricted in  | 8/14/2019  | 9/04/2019  | EAPP |
| INST | INST-ACT | BAND PW    | POW WOW BAND MON 830-10  | 8/15/2019  | 8/15/2019  | EAPP |
| INST | INST-ACT | ACTIVITY2B | Pow Wow 8/24             | 8/21/2019  | 8/27/2019  | SUCC |
| RELI | RELISVCS | DRUMPOWWOW | DrummingforPowWow3rd Su  | 8/23/2019  | 9/09/2019  | SUCC |
| IDLE | WORKPOOL | WORKPOOL   | ANY CLASS LEVEL INMATES  | 9/05/2019  |            |      |
| RELI | RELISVCS | VEDANTA01  | Vedanta                  | 9/11/2019  | 11/22/2019 | SEGR |



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Earned Time Computation Form

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Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(13-08B) TRCI  
 Counselor. R. HILLMICK 541-922-6047  
 Date..... 4/25/2019 Caseload.. 14006 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: 30.0  
 Review period..... 10/25/2018 to 4/25/2019 AMENDED: | |

| TYPE | PROGRAM  | SECTION    | DESCRIPTION               | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|---------------------------|------------|------------|------|
| INST | INST-ACT | BAND PW 2  | POW WOW BAND 2 THUR 830-1 | Referred:  | 4/13/2017  |      |
| INST | INST-ACT | BAND PW    | POW WOW BAND MON 830-1030 | Referred:  | 5/22/2017  |      |
| RELI | RELI-ACT | SPIRITBEAD | Spirit beading Mon 1-4p   |            | 4/25/2019  | EAPP |
| INST | INST-ACT | ARTPROGR02 | Mural Project             | Referred:  | 9/11/2017  |      |
| JOB  | ORDERLYS | OPRATION01 | Operations Orderly 01     |            | 2/21/2019  | DDRP |
| RELI | RELISVCS | NATIVEPRG2 | Native Program SUN 100    | 1/18/2018  |            |      |
| RELI | RELISVCS | DRUMWSHP01 | Drumming Worship          | 1/18/2018  |            |      |
| RELI | RELI-ACT | MUSCTHRPY  | MusicTherapy&PercussionM  | 1/18/2018  |            |      |
| INST | INST-ACT | INCYR2TU03 | Level 3 Act Tuesday 1:3   | 1/19/2018  | 4/15/2019  | CSEC |
| INST | INST-COG | YOGA/MEDGP | Yoga/MeditationGP IL3 M   | 4/03/2018  | 2/25/2019  | DREM |
| JOB  | ORDERLYS | CLEANCREW3 | Cleaning Crew 3 days/wk   | 5/24/2018  |            |      |
| INST | INST-ACT | POWOWGP    | PowowGeneralPop SA 8/25   | 8/25/2018  | 11/26/2018 | SUCC |
| INST | INST-ACT | ACTIVITY07 | Play "An Illiad" FRI 63   | 10/19/2018 | 2/06/2019  | SUCC |
| RELI | RELISPEC | SPECPIPECM | SpecialPipeCeremony       | 10/24/2018 | 11/01/2018 | SUCC |
| INST | INST-ACT | ACTIVITY08 | Activity Night WED 600    | 11/07/2018 | 11/09/2018 | DDRP |
| INST | INST-ACT | ACTIVITY08 | Activity Night WED 600    | 11/14/2018 | 11/20/2018 | SUCC |
| INST | INST-ACT | ACTIVITY08 | Activity Night WED 600    | 11/28/2018 | 12/04/2018 | SUCC |
| RELI | RELISPEC | SPECPIPECM | SpecialPipeCeremony       | 1/06/2019  | 1/11/2019  | SUCC |
| RELI | RELISPEC | VENDANTA01 | VendantaService MON5/20   | 2/18/2019  | 3/15/2019  | DDRP |
| INST | INST-ACT | ACTIVITY08 | Activity Night WED 600    | 3/27/2019  | 4/08/2019  | EAPP |
| INST | INST-ACT | ACTIVITY08 | Activity Night WED 600    | 4/10/2019  | 4/12/2019  | SUCC |
| RELI | RELISPEC | BENHURMOVI | Ben-Hur Movie/Commun WE   | 4/11/2019  | 4/19/2019  | SUCC |
| INST | INST-ACT | INCYR3WE03 | Level 3 Act Wednesday 1:  | 4/16/2019  |            |      |

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Earned Time Computation Form

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Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(13-08B) TRCI  
 Counselor. R. HILLMICK 541-922-6047  
 Date..... 10/25/2018 Caseload.. 14006 Class.. 4  
 Institution admission.. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: 44.0  
 Review period..... 4/25/2018 to 10/25/2018 AMENDED: | |

| TYPE | PROGRAM  | SECTION    | DESCRIPTION               | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|---------------------------|------------|------------|------|
| INST | INST-ACT | BAND PW 2  | POW WOW BAND 2 THUR 830-1 | Referred:  | 4/13/2017  |      |
| INST | INST-ACT | BAND PW    | POW WOW BAND MON 830-1030 | Referred:  | 5/22/2017  |      |
| RELI | RELI-ACT | SPIRITBEAD | Spirit beading Mon 1-4pm  | Referred:  | 6/12/2017  |      |
| INST | INST-ACT | ARTPROGR02 | Mural Project             | Referred:  | 9/11/2017  |      |
| JOB  | ORDERLYS | OPRATION01 | Operations Orderly 01     | Referred:  | 8/21/2018  |      |
| RELI | RELISVCS | NATIVEPRG2 | Native Program SUN 100    | 1/18/2018  |            |      |
| RELI | RELISVCS | DRUMWSHP01 | Drumming Worship 2nd Su   | 1/18/2018  |            |      |
| RELI | RELI-ACT | MUSCTHRPY  | MusicTherapy&PercussionM  | 1/18/2018  |            |      |
| INST | INST-ACT | INCYR2TU03 | Level 3 Act Tuesday 1:3   | 1/19/2018  |            |      |
| IDLE | WORKPOOL | WORKPOOL   | ANY CLASS LEVEL INMATES   | 3/01/2018  | 5/24/2018  | MJOB |
| INST | INST-COG | GOGIPROG   | GettingOutByGoingIn FR    | 3/09/2018  | 7/06/2018  | EAPP |
| INST | INST-COG | YOGA/MEDGP | Yoga/MeditationGP IL3 M   | 4/03/2018  |            |      |
| JOB  | ORDERLYS | CLEANCREW3 | Cleaning Crew 3 days/wk   | 5/24/2018  |            |      |
| RELI | RELISPEC | NATIVEMTG  | NativeAmericanMtg         | 6/07/2018  | 7/26/2018  | SUCC |
| RELI | RELI-ACT | POWWOWDRUM | POW WOW DRUMMERS WED 8-   | 6/09/2018  | 9/06/2018  | SUCC |
| RELI | RELISPEC | ZENRETREAT | Zen Retreat MON 1/25      | 7/07/2018  | 7/30/2018  | SUCC |
| RELI | RELISPEC | NASPRTRUN1 | Native Spirit Run 7/16    | 7/16/2018  | 7/30/2018  | SUCC |
| INST | INST-ACT | ACTIVITY08 | Activity Night WED 600    | 8/15/2018  | 8/17/2018  | SUCC |
| INST | INST-ACT | POWOWGP    | PowowGeneralPop SA 8/25   | 8/25/2018  | 11/26/2018 | SUCC |
| RELI | RELISPEC | VENDANTA01 | VendantaService MON 9/1   | 9/10/2018  | 10/01/2018 | SUCC |
| INST | INST-ACT | ACTIVITY08 | Activity Night WED 600    | 9/26/2018  | 10/01/2018 | SUCC |
| RELI | RELISPEC | SPECPIPECM | SpecialPipeCeremony       | 10/17/2018 | 10/23/2018 | SUCC |
| INST | INST-ACT | ACTIVITY07 | Play "An Illiad" FRI 63   | 10/19/2018 |            |      |
| RELI | RELISPEC | SPECPIPECM | SpecialPipeCeremony       | 10/24/2018 | 11/01/2018 | SUCC |



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11:01:10 05-25-2018

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10:02:36  
Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(02-48B) TRCI  
 Counselor. R. HILLMICK 541-922-6047  
 Date..... 4/25/2018 Caseload.. 14006 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: 13.0  
 Review period..... 10/25/2017 to 4/25/2018 AMENDED: | |

| TYPE | PROGRAM  | SECTION    | DESCRIPTION               | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|---------------------------|------------|------------|------|
| INST | INST-ACT | BAND PW 2  | POW WOW BAND 2 THUR 830-1 | Referred:  | 4/13/2017  |      |
| INST | INST-ACT | BAND PW    | POW WOW BAND MON 830-1030 | Referred:  | 5/22/2017  |      |
| RELI | RELI-ACT | SPIRITBEAD | Spirit beading Mon 1-4pm  | Referred:  | 6/12/2017  |      |
| INST | INST-ACT | ARTPROGR02 | Mural Project             | Referred:  | 9/11/2017  |      |
| INST | INST-COG | ORIENT01   | TRCI Inmates Needing A    |            | 1/17/2018  | CSEC |
| RELI | RELISVCS | NATIVEPRG2 | Native Programming 1p-4   | 4/01/2017  | 10/30/2017 | SEGR |
| RELI | RELISVCS | DRUMWSHP01 | Drumming Worship 2nd Su   | 4/01/2017  | 10/30/2017 | SEGR |
| INST | INST-ACT | INCYR7SU01 | Level 3 Act Sunday 9:00   | 6/05/2017  | 10/30/2017 | SEGR |
| IDLE | WAITLIST | WAITLIBR01 | Library Wait List Legal   | 6/15/2017  | 12/20/2017 | ADMN |
| JOB  | CORESVCS | ORDPM01    | Act Ord 01 Emerick        | 7/06/2017  | 10/30/2017 | SEGR |
| INST | INST-ACT | TOSTMAST01 | Toastmasters Sat 6:00-9   | 7/19/2017  | 10/25/2017 | DDRP |
| IDLE | WAITLIST | WAITBODYTR | BodyFluid Cleanup Train   | 8/16/2017  | 12/20/2017 | ADMN |
| JOB  | CORESVCS | ACTVCLRK03 | ACTIVITY Pow Wow worke    | 8/25/2017  | 10/30/2017 | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio   | 10/30/2017 | 11/03/2017 | MJOB |
| IDLE | REVIEW   | REVIEW     | Review Program            | 11/03/2017 | 11/15/2017 | SUCC |
| JOB  | CORESVCS | ORDPM01    | Act Ord 01 Emerick        | 11/07/2017 | 12/20/2017 | ADMN |
| RELI | RELISVCS | NATIVEPRG1 | Native Programming 8a-1   | 11/10/2017 | 11/15/2017 | CSEC |
| RELI | RELISVCS | DRUMWSHP01 | Drumming Worship 2nd Su   | 11/10/2017 | 12/20/2017 | ADMN |
| RELI | RELI-ACT | MUSCTHRPY  | MusicTherapy&PercussionM  | 11/10/2017 | 12/20/2017 | ADMN |
| RELI | RELISVCS | NATIVEPRG2 | Native Programming 1p-4   | 11/16/2017 | 12/20/2017 | ADMN |
| EDUC | WFDPREP  | EDORIENT01 | Educ Orient THU 5/24 8    | 11/20/2017 | 11/20/2017 | SUCC |
| IDLE | A&O      | A&O1       | Administrative Orientat   | 12/20/2017 | 1/11/2018  | ADMN |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio   | 12/20/2017 | 1/11/2018  | ADMN |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio   | 1/11/2018  | 1/16/2018  | MJOB |
| IDLE | A&O      | A&O        | Admission and Orientati   | 1/12/2018  | 2/28/2018  | SUCC |
| IDLE | REVIEW   | REVIEW     | Review Program            | 1/16/2018  | 1/16/2018  | MJOB |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio   | 1/16/2018  | 1/16/2018  | MJOB |
| IDLE | REVIEW   | REVIEW     | Review Program            | 1/16/2018  | 2/28/2018  | SUCC |
| INST | INST-COG | ORIENT02   | TRCI Orientation          | 1/17/2018  | 1/17/2018  | EAPP |
| RELI | RELISVCS | NATIVEPRG2 | Native Programming 1p-4   | 1/18/2018  |            |      |
| RELI | RELISVCS | DRUMWSHP01 | Drumming Worship 2nd Su   | 1/18/2018  |            |      |
| RELI | RELI-ACT | MUSCTHRPY  | MusicTherapy&PercussionM  | 1/18/2018  |            |      |
| INST | INST-ACT | INCYR2TU03 | Level 3 Act Tuesday 1:3   | 1/19/2018  |            |      |
| IDLE | WORKPOOL | WORKPOOL   | ANY CLASS LEVEL INMATES   | 3/01/2018  | 5/24/2018  | MJOB |
| INST | INST-COG | GOGIPROG   | GettingOutByGoingIn FR    | 3/09/2018  |            |      |
| INST | INST-COG | YOGA/MEDGP | Yoga/MeditationGP MON 9   | 4/03/2018  |            |      |



03:54:06 p.m. 12-05-2017 6 5035706904

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Earned Time Computation Form

15:59:05 12-05-2017

6/12  
12/05/17  
13:43:50  
Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(22-20B) TRCI  
 Counselor. R. HILLMICK 541-922-6047  
 Date..... 10/25/2017 Caseload.. 14006 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: .0  
 Review period..... 4/25/2017 to 10/25/2017 AMENDED: | |

| TYPE | PROGRAM  | SECTION    | DESCRIPTION               | ENTRY DATE | EXIT DATE           | CODE |
|------|----------|------------|---------------------------|------------|---------------------|------|
| RELI | RELIPROG | ANGERAHU   | AHU Anger Mgt 8:00-9:15   |            | 6/29/2017           | EAPP |
| RELI | RELIPROG | ANGERAHU02 | AHU Anger Mgt.2 T/TH 80   |            | 6/29/2017           | EAPP |
| RELI | RELIPROG | ANGERAHU03 | AHU Anger Mtg 03 8-9:30   |            | 6/29/2017           | EAPP |
| INST | INST-ACT | BAND PW 2  | POW WOW BAND 2 THUR 830-1 |            | Referred: 4/13/2017 |      |
| INST | INST-ACT | BAND PW    | POW WOW BAND MON 830-1030 |            | Referred: 5/22/2017 |      |
| RELI | RELI-ACT | SPIRITBEAD | Spirit beading Mon 1-4pm  |            | Referred: 6/12/2017 |      |
| INST | INST-ACT | ARTPROGR02 | Mural Project             |            | Referred: 9/11/2017 |      |
| INST | INST-ACT | ACTIVITY13 | Pow Wow AHU 8/26/17       | 8/16/2016  | 8/17/2017           | SUCC |
| IDLE | MEDIDLE  | MEDICAL    | Medically restricted in   | 3/08/2017  | 5/31/2017           | CSEC |
| RELI | RELISVCS | NATIVEPRG2 | Native Programming 1p-4   | 4/01/2017  | 10/30/2017          | SEGR |
| RELI | RELISVCS | DRUMWSHP01 | Drumming Worship 3rd Su   | 4/01/2017  | 10/30/2017          | SEGR |
| RELI | RELI-ACT | MUSCTHRPY2 | MusicTherapy&PercussionT  | 4/01/2017  | 6/13/2017           | DDRP |
| RELI | RELISPEC | MEMORSRV02 | Memorial for Mr.Rataske   | 4/26/2017  | 4/26/2017           | DDRP |
| INST | INST-ACT | ACTIVITY10 | OregonInnocenceProject    | 4/27/2017  | 5/02/2017           | SUCC |
| IDLE | WAITLIST | WAITBODYFL | Body Fluid Cleanup Wait   | 6/01/2017  | 8/16/2017           | CSEC |
| IDLE | WORKPOOL | WORKPOOL   | ANY CLASS LEVEL INMATES   | 6/01/2017  | 6/06/2017           | MJOB |
| INST | INST-ACT | INCYR7SU01 | Level 3 Act Sunday 9:00   | 6/05/2017  | 10/30/2017          | SEGR |
| IDLE | WORKPOOL | WORKPOOL   | ANY CLASS LEVEL INMATES   | 6/09/2017  | 7/06/2017           | MJOB |
| RELI | RELI-ACT | SPIRTBEAD3 | Spirit beading Wed 1:00   | 6/12/2017  | 8/02/2017           | DDRP |
| RELI | RELI-ACT | SPIRTBEAD4 | Spirit beading Thurs 1:   | 6/12/2017  | 8/02/2017           | DDRP |
| RELI | RELI-ACT | MUSCTHRPY  | MusicTherapy&PercussionT  | 6/13/2017  | 10/03/2017          | DDRP |
| RELI | RELI-ACT | SPIRTBEAD1 | Spirit beading Tue 8:00   | 6/14/2017  | 8/02/2017           | DDRP |
| RELI | RELI-ACT | SPIRTBEAD2 | Spirit beading Tues 100   | 6/14/2017  | 8/02/2017           | DDRP |
| IDLE | WAITLIST | WAITLIBR01 | Library Wait List Legal   | 6/15/2017  |                     |      |
| RELI | RELISPEC | TLKCRCLE02 | Talking Circle 06/20/1    | 6/15/2017  | 6/20/2017           | SUCC |
| JOB  | UNIT 12  | WAITORD    | Unit 12 Orderly Wait Li   | 6/30/2017  | 9/27/2017           | MBED |
| JOB  | CORESVCS | ORDPM01    | Act Ord 01 Emerick        | 7/06/2017  | 10/30/2017          | SEGR |
| INST | INST-ACT | ACTIVITY08 | Activity Night WED        | 7/14/2017  | 7/24/2017           | SUCC |
| RELI | RELISPEC | NASPRTRUN1 | Native Spirit Run 7/17    | 7/17/2017  | 8/02/2017           | SUCC |
| INST | INST-ACT | TOSTMAST01 | Toastmasters Sat 6:00-9   | 7/19/2017  | 10/25/2017          | DDRP |
| INST | INST-TRG | BDYFLUID01 | Body Fluid Trning         | 7/21/2017  | 8/09/2017           | SCER |
| INST | INST-ACT | ACTIVITY08 | Activity Night WED        | 7/24/2017  | 7/28/2017           | SUCC |
| IDLE | WAITLIST | WAITBODYTR | BodyFluid Cleanup Train   | 8/16/2017  |                     |      |
| JOB  | CORESVCS | ACTVCLRK03 | ACTIVITY Pow Wow worke    | 8/25/2017  | 10/30/2017          | SEGR |



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CORRECTIONS INFORMATION SYSTEMS  
Earned Time Computation Form

14:54:54 05-25-2017

12/14  
5/25/17  
10:55:17  
Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(10-57A) TRCI  
 Counselor. ABBOTT, D (30GP)(541) 922-2157  
 Date..... 4/25/2017 Caseload.. 14002 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: 9.0  
 Review period..... 10/25/2016 to 4/25/2017 AMENDED: | |

| TYPE | PROGRAM  | SECTION    | DESCRIPTION               | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|---------------------------|------------|------------|------|
| RELI | RELIPROG | ANGERAHU   | AHU Anger Mgt 8:00-9:15am | Referred:  | 8/10/2016  |      |
| RELI | RELIPROG | ANGERAHU02 | AHU Anger Mgt.2 T/TH 800- | Referred:  | 8/10/2016  |      |
| RELI | RELIPROG | ANGERAHU03 | AHU Anger Mtg 03 8-9:30AM | Referred:  | 8/10/2016  |      |
| INST | INST-ACT | TOSTMAST01 | Toastmasters Sat 6:00-9:0 | Referred:  | 5/01/2017  |      |
| IDLE | SPECIALS | SPECIAL09  | Notifier List STM/T. St   | 5/27/2016  | 2/17/2017  | DDRP |
| RELI | RELISVCS | NATIVEUN04 | Native Sweat AHU ONLY     | 6/30/2016  | 3/08/2017  | DDRP |
| INST | INST-ACT | ACTIVITY13 | Pow Wow AHU 8/20          | 8/16/2016  |            |      |
| JOB  | UNIT 04  | ORDERLY 05 | Unit 04 Orderies          | 10/11/2016 | 11/03/2016 | MEDC |
| IDLE | MEDIDLE  | MEDICAL    | Medically restricted in   | 11/03/2016 | 11/10/2016 | EAPP |
| RELI | RELISPEC | NATCAHUMVE | NativeAmericanTalkCirMov  | 11/10/2016 | 11/16/2016 | SUCC |
| JOB  | UNIT 04  | WAITORD    | Unit 04 Orderly Wait Li   | 11/10/2016 | 12/27/2016 | MEDC |
| IDLE | WORKPOOL | WORKPOOL   | ANY CLASS LEVEL INMATES   | 11/11/2016 | 12/16/2016 | EAPP |
| IDLE | WAITLIST | WAITRECORD | Wait list for Rec Oerl    | 11/15/2016 | 11/15/2016 | MEDC |
| IDLE | SPECIALS | SPECIALAHU | Administrative Housing    | 12/17/2016 | 3/27/2017  | MBED |
| RELI | RELISVCS | DRMWSHPAHU | Drumming Worhship AHU 2   | 1/26/2017  | 3/27/2017  | MBED |
| IDLE | MEDIDLE  | MEDICAL    | Medically restricted in   | 3/08/2017  |            |      |
| RELI | RELISVCS | NATIVEUN04 | Native Sweat AHU ONLY     | 3/15/2017  | 3/27/2017  | MBED |
| RELI | RELISVCS | NATIVEPRG2 | Native Programming 1p-4   | 4/01/2017  |            |      |
| RELI | RELISVCS | DRUMWSHP01 | Drumming Worship 3rd Su   | 4/01/2017  |            |      |
| RELI | RELIACT  | MUSCTHRPY2 | MusicTherapy&PercusionT   | 4/01/2017  |            |      |
| INST | INST-ACT | BAND PW 2  | POW WOW BAND 2 THUR 830   | 4/13/2017  |            |      |

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CORRECTIONS INFORMATION SYSTEMS  
Earned Time Computation Form

08:45:30 11-22-2016

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11/24/16  
7:56:26  
Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(AH21B ) TRCI  
 Has Designators? Y Counselor. ABBOTT, D(AHU) (541) 922-2157  
 Date..... 10/25/2016 Caseload.. 14001 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: .0  
 Review period..... 4/25/2016 to 10/25/2016 AMENDED: | |  
 Special case factors

| TYPE | PROGRAM  | SECTION    | DESCRIPTION               | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|---------------------------|------------|------------|------|
| RELI | RELIPROG | ANGERAHU   | AHU Anger Mgt 8:00-9:15am | Referred:  | 8/10/2016  |      |
| RELI | RELIPROG | ANGERAHU02 | AHU Anger Mgt.2 T/TH 800- | Referred:  | 8/10/2016  |      |
| RELI | RELIPROG | ANGERAHU03 | AHU Anger Mtg 03 8-9:30AM | Referred:  | 8/10/2016  |      |
| IDLE | IMU/SRCI | IMU/SRCI   | Intensive Management Un   | 4/22/2015  | 5/04/2016  | SPEH |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio   | 5/04/2016  | 5/04/2016  | MJOB |
| IDLE | REVIEW   | REVIEW     | Review Program            | 5/04/2016  | 5/11/2016  | MJOB |
| IDLE | SECUPOL  | SECURITY   | Classification--Unassig   | 5/06/2016  | 8/03/2016  | CSEC |
| IDLE | A&O      | A&O        | Admission and Orientati   | 5/07/2016  | 6/03/2016  | SUCC |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio   | 5/11/2016  | 5/25/2016  | MJOB |
| IDLE | REVIEW   | REVIEW     | Review Program            | 5/25/2016  | 6/03/2016  | MJOB |
| IDLE | SPECIALS | SPECIAL09  | Notifier List STM/T. St   | 5/27/2016  |            |      |
| RELI | RELISVCS | NATIVEPRG2 | Native Programming 1p-4   | 5/28/2016  | 6/03/2016  | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio   | 6/03/2016  | 6/27/2016  | EAPP |
| IDLE | ADHOLD   | VOLUN      | Voluntary Admin Housing   | 6/09/2016  | 6/27/2016  | MBED |
| IDLE | REVIEW   | REVIEW     | Review Program            | 6/28/2016  | 7/12/2016  | SUCC |
| RELI | RELISVCS | NATIVEUN04 | Native Smudge & Pipe AH   | 6/30/2016  |            |      |
| MH   | BHS M/H  | MH-19      | DBT AHU DstrsTolFRI 930   | 7/20/2016  | 8/08/2016  | DDRP |
| IDLE | WORKPOOL | WORKPOOL   | ANY CLASS LEVEL INMATES   | 8/04/2016  | 10/11/2016 | MJOB |
| INST | INST-ACT | ACTIVITY13 | Pow Wow AHU 8/20          | 8/16/2016  |            |      |
| JOB  | UNIT 04  | WAITORD    | Unit 04 Orderly Wait Li   | 9/28/2016  | 10/11/2016 | MJOB |
| JOB  | UNIT 04  | ORDERLY 05 | Unit 04 Orderies          | 10/11/2016 | 11/03/2016 | MEDC |



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10:49:51 a.m.

11-23-2015

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Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(IMC05A) SRCI  
Has Designators? Y Counselor. GRAVES, S IMU/ASU 881-4965  
Date..... 10/25/2015 Caseload.. 11009 Class.. 5  
Institution admission. 10/25/2011  
137.635: N 137.700: Y Projected release..... 5/21/2035  
Compliant hours: .0

Review period..... 4/25/2015 to 10/25/2015 AMENDED: | |

Special case factors

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| TYPE | PROGRAM  | SECTION  | DESCRIPTION             | ENTRY DATE | EXIT DATE | CODE |
|------|----------|----------|-------------------------|------------|-----------|------|
| IDLE | IMU/SRCI | IMU/SRCI | Intensive Management Un | 4/22/2015  |           |      |

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## Earned Time Computation Form

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Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(IME42 ) SRCI  
 Has Designators? Y Counselor. GRAVES, S IMU/ASU 881-4965  
 Date..... 4/25/2015 Caseload.. 11009 Class.. 5  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: .0

Review period..... 10/25/2014 to 4/25/2015 AMENDED: | |

Special case factors

| TYPE | PROGRAM  | SECTION    | DESCRIPTION             | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|-------------------------|------------|------------|------|
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio | 7/25/2014  | 11/12/2014 | SPMC |
| IDLE | REVIEW   | REVIEW     | From Court,DSU,SMU,IMU, | 11/12/2014 | 11/13/2014 | MJOB |
| IDLE | A&O      | A&O ARRIVE | AF All New Inmate Arriv | 11/14/2014 | 11/18/2014 | SUCC |
| IDLE | A&O      | A&O CLASS  | AF A&O CLASS/PREA REVIE | 11/18/2014 | 11/20/2014 | SUCC |
| IDLE | A&O      | A&O FINISH | AF Completion A&O       | 11/20/2014 | 11/24/2014 | MJOB |
| IDLE | PATIENT  | PATIENT    | Infirmery Patient       | 11/24/2014 | 11/25/2014 | MJOB |
| IDLE | A&O      | A&O FINISH | AF Completion A&O       | 11/26/2014 | 12/22/2014 | SUCC |
| RELI | RELIACT  | INDIGENOUS | Indigenous Activity     | 12/04/2014 | 1/04/2015  | SEGR |
| RELI | RELISVCS | SWEATLODGE | GV RELISV SWEATLODGES   | 12/04/2014 | 1/04/2015  | SEGR |
| RELI | RELIACT  | JOURNAL    | Christian Journaling    | 12/22/2014 | 1/04/2015  | SEGR |
| IDLE | WORKPOOL | WORKPOOL   | Inmates eligible for wo | 12/23/2014 | 1/05/2015  | MJOB |
| RELI | RELIACT  | LIFELINE   | Lifeline Bible Stdy Tue | 12/31/2014 | 1/04/2015  | SEGR |
| RELI | RELIACT  | THRESHOLDS | Thresholds Release      | 12/31/2014 | 1/04/2015  | SEGR |
| RELI | RELISVCS | CALV SAT   | Sat. Worship Service    | 12/31/2014 | 1/04/2015  | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Inmates Sanctioned to D | 1/04/2015  | 1/13/2015  | SPEH |
| IDLE | PROFILE  | PROFILE    | High Profile Inmates    | 1/09/2015  | 1/13/2015  | SPEH |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio | 1/13/2015  | 4/22/2015  | SPEH |
| IDLE | A&O      | A&O        | Admission and Orientati | 1/14/2015  | 2/11/2015  | SUCC |
| IDLE | SPECIALS | SPECIAL09  | Notifier List STM/B. P  | 2/18/2015  | 4/22/2015  | SPEH |
| INST | INST-COG | ORIENT01   | TRCI Inmates Needing A  | 4/22/2015  | 4/22/2015  | MBED |
| IDLE | IMU/SRCI | IMU/SRCI   | Intensive Management Un | 4/22/2015  |            |      |
| DR   |          |            | Poss Weapon             | 1/08/2015  |            |      |
| DR   |          |            | Contra II               | 3/19/2015  |            |      |

10:56:13 a.m. 11-28-2014 7 5035706904

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10:54 a.m. 11-28-2014  
 INFORMATION SYSTEMS  
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7/9  
 11/28/14  
 10:00:03  
 Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(D-373A) OSP  
 Has Designators? Y Counselor. JOHN SHASTEEN LTD 503-373-1666  
 Date..... 10/25/2014 Caseload.. 00107 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: .0  
 Review period..... 4/25/2014 to 10/25/2014 AMENDED: | |  
 Special case factors

| TYPE | PROGRAM  | SECTION  | DESCRIPTION             | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|----------|-------------------------|------------|------------|------|
| IDLE | DISCSEGR | DISCSEGR | Disciplinary Segregatio | 3/21/2014  | 7/25/2014  | MJOB |
| IDLE | REVIEW   | REVIEW   | Return From Court/Out o | 7/25/2014  | 7/25/2014  | MJOB |
| IDLE | DISCSEGR | DISCSEGR | Disciplinary Segregatio | 7/25/2014  | 11/12/2014 | SPMC |
| DR   |          |          | Disresp II              | 7/25/2014  |            |      |

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Corrections Information System  
 Earned Time Computation Form

1:00 a.m. 05-23-2014

2/2  
 5/23/14  
 9:47:00  
 Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(DSC45 ) SRCI  
 Has Designators? Y Counselor. JOSE DELGADO CASEBNK 881-4667  
 Date..... 4/25/2014 Caseload.. 11003 Class.. 4  
 Institution admission. 10/25/2011  
 Projected release..... 5/21/2035  
 137.635: N 137.700: Y Compliant hours: .0  
 Review period..... 10/25/2013 to 4/25/2014 AMENDED: | |  
 Special case factors

| TYPE | PROGRAM  | SECTION    | DESCRIPTION             | ENTRY DATE | EXIT DATE | CODE |
|------|----------|------------|-------------------------|------------|-----------|------|
| RELI | RELISVCS | NATIVE 02  | Sweat for Complex 2     | 9/10/2013  | 3/21/2014 | SEGR |
| IDLE | 2WRKPOOL | WORKPOOL   | No JOB                  | 9/11/2013  | 3/21/2014 | SEGR |
| INST | INST-TRG | WAITLISTC1 | SRCI Custodial Procedur | 10/18/2013 | 3/21/2014 | SEGR |
| RELI | RELISPEC | NATIVE 03  | Complex 2 New Years Swe | 1/16/2014  | 1/23/2014 | SUCC |
| RELI | RELISPEC | NATIVE 07  | Native American Seminar | 3/13/2014  | 3/15/2014 | SUCC |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio | 3/21/2014  |           |      |



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Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(2B05B ) SRCT  
Has Designators? Y Counselor. JOSE DELGADO CASEBNK 881-4667  
Date..... 10/25/2013 Caseload.. 11003 Class.. 4  
Institution admission. 10/25/2011  
137.635: N 137.700: Y Projected release..... 5/21/2035  
Compliant hours: .0  
Review period..... 4/25/2013 to 10/25/2013 AMENDED: | |  
Special case factors

| TYPE | PROGRAM  | SECTION    | DESCRIPTION             | ENTRY DATE | EXIT DATE | CODE |
|------|----------|------------|-------------------------|------------|-----------|------|
| RELI | RELISVCS | NATIVE 03  | Sweat for Complex 3     | 4/11/2013  | 7/20/2013 | SEGR |
| RELI | RELIACT  | NATIVE 03  | Beading Class Tuesday P | 4/11/2013  | 6/18/2013 | SUCC |
| IDLE | 3WRKPOOL | WORKPOOL   | No JOB                  | 4/16/2013  | 5/23/2013 | MJOB |
| RELI | RELIACT  | COMMUNICAT | Art of Communication Cl | 4/18/2013  | 5/07/2013 | DDRP |
| RELI | RELISPEC | GUEST SPKR | Professional Bull Rider | 4/25/2013  | 4/30/2013 | SUCC |
| MH   | BHS M/H  | MH-02      | Anxiety Mon 1-2p Abegg  | 4/26/2013  | 6/03/2013 | DROP |
| JOB  | 3ORDHSEC | WC ROSS, C | Wheelchair Assist       | 5/23/2013  | 7/18/2013 | JOBC |
| RELI | RELISPEC | POWWOW     | Annual PowWow           | 6/21/2013  | 7/01/2013 | SUCC |
| RELI | RELISPEC | NATIVE 1   | Sundance Sweat 2013     | 7/18/2013  | 7/20/2013 | SEGR |
| IDLE | 3WRKPOOL | WORKPOOL   | No JOB                  | 7/19/2013  | 7/29/2013 | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio | 7/20/2013  | 8/02/2013 | MJOB |
| IDLE | REVIEW   | REVIEW     | Return From Court/Out o | 8/02/2013  | 8/15/2013 | SUCC |
| RELI | RELISVCS | NATIVE 02  | Sweat for Complex 2     | 8/07/2013  | 8/08/2013 | MBED |
| RELI | RELISVCS | NATIVE 03  | Sweat for Complex 3     | 8/08/2013  | 8/14/2013 | MBED |
| RELI | RELISVCS | NATIVE 02  | Sweat for Complex 2     | 8/14/2013  | 8/15/2013 | SEGR |
| IDLE | 2WRKPOOL | WORKPOOL   | No JOB                  | 8/15/2013  | 8/16/2013 | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio | 8/15/2013  | 8/29/2013 | MJOB |
| COGN | PREA     | PREA VIDEO | PREA Video August 20, 2 | 8/20/2013  | 8/22/2013 | SUCC |
| IDLE | REVIEW   | REVIEW     | Return From Court/Out o | 8/29/2013  | 9/11/2013 | SUCC |
| RELI | RELISVCS | NATIVE 02  | Sweat for Complex 2     | 9/10/2013  |           |      |
| IDLE | 2WRKPOOL | WORKPOOL   | No JOB                  | 9/11/2013  |           |      |
| INST | INST-TRG | WAITLISTC1 | SRCT Custodial Procedur | 10/18/2013 |           |      |
| DR   |          |            | Disresp I               | 8/01/2013  |           |      |

zMay. 23. 2013 10:49AM 01:00 6906ned Time Computation Fg

No. 0045 P. 2/2:20:00

Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(3C04B ) SRCI  
 Has Designators? Y Counselor. JOSE DELGADO CASEBNK 881-4667  
 Date..... 4/25/2013 Caseload.. 11003 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: 3.0  
 Review period..... 10/25/2012 to 4/25/2013 AMENDED: | |

Special case factors 07

| TYPE | PROGRAM  | SECTION    | DESCRIPTION             | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|-------------------------|------------|------------|------|
| RELI | RELISVCS | NATIVE 02  | Sweat for Complex 2     | 6/28/2012  | 2/07/2013  | MBED |
| JOB  | CENTMED  | WAIT LIST  | Central Medical Order W | 8/15/2012  | 3/29/2013  | SEGR |
| RELI | RELIACT  | NATIVE 03  | Beading Class Tuesday P | 10/03/2012 | 3/29/2013  | SEGR |
| JOB  | 2ORDHSEC | CHOUSE10   | Housing Orderly EVE     | 10/12/2012 | 12/11/2012 | DREM |
| IDLE | 2WRKPOOL | WORKPOOL   | No JOB                  | 12/12/2012 | 2/07/2013  | MBED |
| RELI | RELISPEC | NATIVE 03  | Complex 2 New Years Swe | 1/17/2013  | 1/24/2013  | SUCC |
| IDLE | 3WRKPOOL | WORKPOOL   | No JOB                  | 2/07/2013  | 3/29/2013  | SEGR |
| RELI | RELISVCS | NATIVE 03  | Sweat for Complex 3     | 2/07/2013  | 3/29/2013  | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio | 3/29/2013  | 4/08/2013  | MJOB |
| IDLE | REVIEW   | REVIEW     | Return From Court/Out o | 4/08/2013  | 4/16/2013  | SUCC |
| RELI | RELISVCS | NATIVE 03  | Sweat for Complex 3     | 4/11/2013  |            |      |
| RELI | RELIACT  | NATIVE 03  | Beading Class Tuesday P | 4/11/2013  |            |      |
| IDLE | 3WRKPOOL | WORKPOOL   | No JOB                  | 4/16/2013  | 5/23/2013  | MJOB |
| RELI | RELIACT  | COMMUNICAT | Art of Communication Cl | 4/18/2013  | 5/07/2013  | DDRP |
| RELI | RELISPEC | GUEST SPKR | Professional Bull Rider | 4/25/2013  | 4/30/2013  | SUCC |
| DR   |          |            | Poss Body Md            | 12/10/2012 |            |      |
| DR   |          |            | Disresp II              | 4/08/2013  |            |      |
| DR   |          |            | Contra II               | 4/08/2013  |            |      |



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NORBYDCorrections Information System  
Earned Time Computation FNo. 5052 P. 8/8/28/12  
14:03:18  
Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(2C18B ) SRCI  
 Has Designators? Y Counselor. JOSE DELGADO CASEBNK 881-4667  
 Date..... 10/25/2012 Caseload.. 11003 Class.. 4  
 Institution admission. 10/25/2011  
 137.635: N 137.700: Y Projected release..... 5/21/2035  
 Compliant hours: 44.0  
 Review period..... 4/25/2012 to 10/25/2012 AMENDED: | |  
 Special case factors 07

| TYPE | PROGRAM  | SECTION    | DESCRIPTION             | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|-------------------------|------------|------------|------|
| RELI | RELISVCS | NATIVE 03  | Sweat for Complex 3     | 1/11/2012  | 6/18/2012  | SEGR |
| IDLE | 3WRKPOOL | WORKPOOL   | No JOB                  | 3/07/2012  | 6/18/2012  | SEGR |
| IDLE | 3MEDIUNA | 3MEDRST-LI | Needs Live-in Helper    | 5/29/2012  | 6/24/2012  | MBED |
| JOB  | 3ORDHSEC | 3CWAITLIST | WAIT LIST 3C ORDERLY    | 6/08/2012  | 6/18/2012  | SEGR |
| JOB  | PRODKITC | WAIT LIST  | Wait List               | 6/08/2012  | 6/18/2012  | SEGR |
| IDLE | DISCSEGR | DISCSEGR   | Disciplinary Segregatio | 6/18/2012  | 6/24/2012  | MJOB |
| IDLE | REVIEW   | REVIEW     | Return From Court/Out o | 6/24/2012  | 6/27/2012  | SUCC |
| RELI | RELISVCS | NATIVE 02  | Sweat for Complex 2     | 6/28/2012  |            |      |
| RELI | RELISPEC | NATIVE 2   | Sundance Sweat 2012     | 7/19/2012  | 7/27/2012  | SUCC |
| JOB  | 2KITCSTL | 2WAIT LIST | Wait List               | 8/15/2012  | 9/04/2012  | MJOB |
| JOB  | 2ORDHSEC | 2CWAITLIST | WAIT LIST 2C ORDERLY    | 8/15/2012  | 9/04/2012  | MJOB |
| JOB  | CENTMED  | WAIT LIST  | Central Medical Order W | 8/15/2012  |            |      |
| JOB  | 2KITCSTL | 2 POTPAN03 | PM Pot/Pan Room         | 9/05/2012  | 9/10/2012  | MEDC |
| IDLE | 2MEDIUNA | 2MEDREST   | Medically Work Restrict | 9/10/2012  | 10/11/2012 | MJOB |
| RELI | RELIACT  | NATIVE 03  | Beading Class Tuesday P | 10/03/2012 |            |      |
| JOB  | 2ORDHSEC | CHOUSE11   | Housing Orderly EVE     | 10/11/2012 | 10/11/2012 | JOBC |
| JOB  | 2ORDHSEC | CHOUSE10   | Housing Orderly EVE     | 10/12/2012 |            |      |
| DR   |          |            | Un Area I               | 6/22/2012  |            |      |

May. 24. 2012 4:21PM OISC 6906  
ZLWING Earnings Information Systems  
Earned Time Computation F

No. 5685 P. 2/12  
11:54:10  
Page 1

Offender ID..... 8855258 Weaver, Richard Francis Jr Inmate(3C17B ) SRCI  
Has Designators? Y Counselor. JOSE DELGADO CASEBNK 881-4837  
Date..... 4/25/2012 Caseload.. 11003 Class.. 4  
Institution admission. 10/25/2011  
137.635: N 137.700: Y Projected release..... 5/21/2035  
Compliant hours: .0

Review period..... 10/25/2011 to 4/25/2012

AMENDED: | |

Special case factors

| TYPE | PROGRAM  | SECTION    | DESCRIPTION             | ENTRY DATE | EXIT DATE  | CODE |
|------|----------|------------|-------------------------|------------|------------|------|
| IDLE | INTAKE   | INTAKE M   | MALE Inmates for Asse   | 10/26/2011 | 11/16/2011 | INTK |
| IDLE | INTKPROC | BASIS B4   | *B UNIT ASSESSMENT T    | 10/26/2011 | 10/31/2011 | SUCC |
| IDLE | A&O      | A&O        | Admission & Orientation | 11/17/2011 | 12/16/2011 | MJOB |
| RELI | RELISPEC | CHRISTMAS3 | C3 Christmas Concert    | 12/14/2011 | 12/16/2011 | SUCC |
| JOB  | 3DINE    | 1 ISLAND05 | AM Center Island Atnd   | 12/16/2011 | 3/06/2012  | ADMI |
| RELI | RELISVCS | NATIVE 03  | Sweat for Complex 3     | 1/11/2012  |            |      |
| RELI | RELISPEC | NATIVE 01  | New Year's Sweat - Comp | 1/21/2012  | 1/26/2012  | SUCC |
| IDLE | 3WRKPOOL | WORKPOOL   | No JOB                  | 3/07/2012  |            |      |
| RELI | RELISPEC | NATIVE C3  | Theatre Special Comple  | 3/17/2012  | 3/21/2012  | SUCC |

## **Petitioner's Exhibit B**

2-5-22

To Whom It May Concern,

I Am Writing this Letter In Reference To Richard Weaver. Richard IS A medical orderly In OSCI's medical unit 1B AT OSCI. He IS ASSIGNED to one person that has many medical needs And he IS ATTENTIVE to that person AND his needs. ALSO I've seen him checking in with others through out the day to see how they are doing, including me. At this time, I require walking devices to help myself get around. Several times Richard HAS OFFERED his assistance, ESPECIALLY when IT comes to carrying canteen BACK to my unit. I've seen him make up to four trips FROM canteen to the unit. helping others ALSO. NO one HAS to ASK, he JUST DOES IT. There ARE APPROXIMATELY 10 ORDERLYS In this unit, Richard IS the only one that I have seen that will CONSISTANTLY help others. He IS ALSO helpful to answer Any QUESTIONS ABOUT Prison life.

I GUESS Im trying to say that he IS A GOOD person with A GOOD heart.

Im Glad I met him.

Thank you

Colen Stevens.





re: Rick Weaver #8855258

During the past ten months I've observed Rick Weaver close to 24 hours a day. He's been a man that avoids the more criminal thinkers, tending to associate himself with those that prefer to give, than to take, and is helpful to those with mental and/or physical limitations, or the elderly.

Rick is self-motivated, doesn't need to be told what to do, just does what needs to be done. If he makes a mistake, he corrects it, but also learns from his mistakes. He isn't afraid to apologize when he is wrong... after a short period. At times self-absorbed, but doesn't negatively affect those around him. He balances socializing with the need for time by himself/for his self.

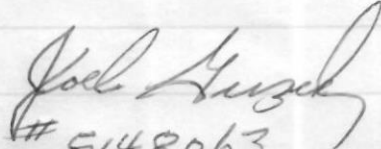
Respectfully,  
*Richard O. Coym*  
Richard O. Coym

DATE : 2-6-22  
FROM : Joel Guzek, #5148063  
TO : Whom it May Concern  
RE : Richard Weaver

I have known MR. Weaver For about Two years.  
MR. Weaver worked as a Medical Orderly in UNIT-13,  
and I have personally observed his work performance  
and work ethics, described as follows but Not Limited  
To :

1. Hard Worker, Willing To help others;
2. Observes And practices SAFE-Working enviroment;
3. Follows Rules And procedures;
4. Reliable And Trustworthy;
5. Positive Attitude And Temperment;
6. Respectful And Courteous Towards others;
7. Compassionate Towards The elderly And others.

I Also believe That, MR. Weaver is A good-person,  
And That he will be a valuable asset To Society.

Sincerely,   
#5148063  
OSCI



2/5/22  
11:30AM

To Whom,

My name is C. Tom Staggs. I have known Mr. Weaver for near 2 years.

Where we are, requires a person to learn a higher level of discernment about others; their behavior & intentions.

Mr. Weaver has shown to me the following characteristics.

- As a medical orderly (a position for persons of favor, with good dependable work ethics). He has not missed anytime; showing compassion for others with ailments in his charge. He has stepped up at all times to help. Follows instructions well & keeps up on medical procedures needed for those in his charge.
- Behavior - culture here ranges from scary, to born again Christians. Mr. Weaver has managed to conduct himself without harm or facility violations. I see no patterns of behavior that indicate he cannot flourish well within the curbs of society. He is studious & a learner. I believe this is why he shows no signs of being institutionalized.

THE BEST THROUGH  
THIS PROCESS,

Tom Staggs

SID# 6841494

To Whom This May Concern:

Concerning Rick Weaver #8855258;  
I've now known Rick for over two  
years now, Rick and I live in Unit  
1B, a medical dorm at the Oregon  
State Correctional Institution.  
Rick is an honest, caring  
individual. Rick works as a Care  
Provider to elderly disabled  
individuals and is constantly  
insuring those in need are  
provided whatever needs the  
disabled might need.

I have never witnessed any  
angry outburst by Rick. In  
fact I witnessed an inmate  
assaulting Rick. Rick did not  
fight back, just deflecting the  
chairs the inmate was throwing  
at Rick.

Rick also takes the time to assist  
individuals in writing letters,  
cleaning their living area, bed  
making.

I make this Statement as true  
to the best of my knowledge  
and belief.

David R Durham #3327475  
Dated February 6<sup>th</sup> 2022

To whom it may concern,

I met Richard Weaver (SID #8855258) in 2016. We were in the same unit until July of 2019. It was a small unit where everyone got to know everyone else whether they wanted to or not.

Richard was somewhat of a loner. He didn't do anything to hurt others but didn't go out of his way to help anyone either.

I did get to know him over time. He was pretty negative and selfish.

In July of 2019 I was moved to a different Institution, OSCI. In January of 2020 Richard was also sent to OSCI.

I did not seek him out, not because I disliked him, but because I tended to surround myself with positive people.



2

I immediately noticed that Richard had changed. He was hanging around with people of all backgrounds and appeared to be happy. He was constantly laughing and joking with people.

In passing, Richard would make it a point to say hi and ask how I was doing; then would wait for an answer. Over a short period of time we started spending time together and got to know each other better.

I'm not sure what it was that changed him, but it was for the better. He enjoys talking with people now. Richard selflessly gives to others; this includes offering a sympathetic ear.

We are both now on a medical dormitory unit where Richard is a medical orderly. The unit is very small; one can see from one end of the unit to the other.

Even minding your own business,  
you see and hear everything  
that is going on.

It has reinforced what I  
saw on the honor housing unit  
we were on before this one.  
Richard constantly helps people;  
even those who are not his  
responsibility.

I am happy to call  
Richard a friend.

Thank You for your time.

Robert J. Bailey SID# 8186714  
Rob Bailey

## **Petitioner's Exhibit C**





**Iron Tribe**

"Providing Support ~ Building Community"

P.O. Box 90384, Portland, Oregon 97290

contact.irontribe@gmail.com

## **IRON TRIBE CLEAN & SOBER LIVING HOUSING GUIDELINE AGREEMENT**

- Living clean and sober is our primary purpose. Zero tolerance for dirty UA's, or being under the influence of any un-prescribed drug or alcohol.
- All tenants are expected to be working a "Recovery Program" of their choosing; religious, spiritual, AA, NA, CA, MA, CMA, DDA or any other program dealing with addictions in a community recovery program.
- No Sex Offenders permitted. Back ground checks will be done prior to accepting applications at the expense of the applicant.
- Rent is \$\_\_\_\_.00 per room plus \$\_\_\_\_.00 for utilities & house supplies, totaling \$\_\_\_\_.00 per month, with a onetime nonrefundable move-in fee of \$100.00. Rent is due no later than the 5<sup>th</sup> of each month.
- At move-in the new member will sign a 30-day "no show/no cause" Eviction Notice (a 14 Day & 14 Day) which gives the house members an opportunity to see that the "New Member" is a good fit for the house, if the "New Member" is not a good fit for the house they will have 15 days to vacate the property.
- First 30 days of occupancy is a blackout period, meaning no overnight guest and daily curfew (week days in by 10:00 PM, weekends in by 12:00 AM).
- All tenants are expected to be in compliance with; all mandatory obligations, court sentences, parole/probation, treatment programs and treatment aftercare requirements. Tenants' failure to do so will result in a contract being imposed/and possible removal from the property.
- Zero tolerance for violence. Any acts of violence will result in a 24 hour "no show/no cause" eviction notice. Any threats of violence will be subject to contract.
- Zero tolerance for criminal activity, regardless if new charges are acquired, and will result in a 24 hour "no show/no cause" eviction notice.
- No borrowing of any house mates property without permission. Entering any housemate's room without the occupant present is not permitted. If you do you will be served a 24 hour no show/no cause eviction.
- The house manager and one other occupant may enter any room, at any time, if there is a suspicion of drugs, alcohol, paraphernalia or illegal activity, without that member present although that member must be notified of entry and the findings afterwards.
- Any misuse or theft of any property is immediate termination of tenancy with a 24 "no show/no cause" eviction notice.
- No excessive noise from the hours of 10:00 PM to 10:00 AM on weekdays and 12:00 AM to 10:00 AM on weekends.
- Respect all house members and guest at all times.



- There is a 3-Step Down guideline. Any tenant and their guests are subject to this guideline. This guideline is as follows, any violation of guidelines stated herein this agreement will be subject to the following: first time is a warning, second time is a fine, and third time will be a behavioral contract. If found in a violation while on behavioral contract, disciplinary action will be discussed and determined by the case manager and/or council.
- Behavioral Contracts will be imposed if found in violation of guideline agreement. Behavioral Contracts vary and are up to discussion with house management, case manager and Council of Iron Tribe.
- Tenant agrees to Random UA's for self, house mates and all guests.
- UA's will be monitored by 2 house mates. Women will monitor Women's UA's and Men will monitor Men's UA's. No house mate can monitor their guest UA's.
- All guests are subject to house rules. If guest UA comes back dirty that person will be banned from the house for 30 days and the issue will be revisited. Exceptions to this rule may be made by the house members if the guest shows intentional desire to be clean and attends recovery meetings or is making steps to enter a treatment program.
- You must notify at least 1 house member of your intent to be gone for any period of time. If gone 3 days or more you will be asked to do a UA upon returning to the house.
- All guests are your responsibility. Guest is not to be left unattended or alone in the house, unless a prior agreement is made with another housemate to "sponsor" your guest in your absence.
- Over night guests are allowed 12 overnight visits a month, 3 per calendar week Sunday through Saturday. Not to consist of 12 straight days in a row.
- Weekly house meets are on \_\_\_\_\_.
- You can only miss a house meeting if you are at work, at treatment, you/family member is in the hospital, have a valid emergency or have informed the house prior to the scheduled meeting.
- Meetings are for house business, new applicants, to resolve any problems effecting the house or tenants and to consider proposals or project to be taken on by the house. Special meetings are to be held for dirty UA's, behavior issues or applicants needing housing right away.
- 80 % of existing tenants must be present to vote a new tenant in or a house member out of the house.
- An 80% vote of house members is required to vote a new tenant in or a house member out of the house.
- There is no smoking inside the house. Use cigarette butt receptacles at each door for putting out cigarettes. This for the safety of the house/tenants. Misuse of this rule will result in a 3-Step Down guideline being imposed. For example, cigarettes found in the yard or drive way.
- Chores are to be done on \_\_\_\_\_ by 10:00 PM.
- You are to pick up after yourself. Keeping common areas clean. There will be a list indicating which chore each member is responsible for. Chores are assigned and changed weekly. Failure to do chores results in a 3-Step Down. For example bathrooms, kitchen, dining and living room, yard (front & back), drive way and parking area.
- Any personal items left in the common areas while you are not on the premises will be subject to 3-Step Down.
- Bathrooms; clean sink, clean shower, tub, shower curtain , wipe down walls and cabinets, clean all glass, clean toilet and base, empty trash, sweep and mop floor.
- Kitchen; wipe down cabinets and walls, clean sink, wipe down refrigerator inside and out, clean appliances, empty garbage, process recycling, sweep and mop floors.





**Iron Tribe**

"Providing Support ~ Building Community"

P.O. Box 90384, Portland, Oregon 97290

contact irontribe@gmail.com

www.irontribe.biz

## **IRON TRIBE Housing Project Overview**

**IRON TRIBE** currently offers the opportunity for long term Clean & Sober Housing for its members and individuals engaged in active programs of recovery. Together, with our Seventh Direction Program, Iron Tribe offers a variety of comprehensive services and support for its members.

### **Structure**

Iron Tribe structures its housing communities in compliance with ADFC (Alcohol and Drug Free Community) statutes as outlined in the ORS (Oregon Revised Statutes). In addition, Iron Tribe requires its housing members to sign and comply with the following:

- Iron Tribe Housing Guidelines for behavioral requirements on each property.
- **Recovery Action Plans** are individually completed by each house member and are managed by a Case Manager and their on-site Housing Manager. The Recovery Action Plan is designed as a support tool for their recovery and to establish treatment and other special requirements unique to each house member. The facilitating and up-dating of the recovery action plan is an implement of support and accountability of each house member's success.
- Random UA's (Urinalysis Testing) and Alcohol Breathalyzers are randomly administered to residents and visitors by certified managers in order to assure compliance with community policies.
- Compliance with Probation and Parole supervision requirements are requisite of all house members under current supervision.
- Med logs are maintained on-site by housing managers and medication supplies are randomly counted to ensure compliance with prescriptions from doctors and mental health clinicians.
- Random Housing Inspections are conducted by an Iron Tribe Housing Inspector to ensure cleanliness and fire safety standards; and to ensure continued compliance with city inspection codes.



- Chore lists rotate for each house member on a regular basis to ensure cleanliness standards both inside and outside the property.
- Local mental health professionals facilitate check-ins and group meetings at various housing locations.
- Community Parole and Probation Officers monitor community members under supervision at each housing location.

The result of the aforementioned structural components is a comprehensive accountability model for a successful clean and sober living environment for persons in recovery that have co-occurring disorders and criminal histories.

Establishing a clean and sober living community for our tribal members and persons in recovery offers a unique model for this type of living. House members thrive by maintaining a solid track record of recovery; completing their transition programs, establishing a positive circle of influence amongst the tribe and recovery community; developing a positive life aim (which includes employment, entry in school, college or a vocational program) and actively engaging in a program of recovery and community outreach. We believe maintaining these elements increases the success rate of long term tenancy and lowering the recidivism rate amongst our members in this type of housing.

During our first year housing, our Housing Project has incurred a 12.5% recidivism rate\*. \*Recidivism rate includes Probation or Parole Violations, County Jail and/or State Correctional internments.

The Iron Tribe Housing Project mission is to maintain a sacred and safe living environment for its housing members to explore the recovery of their humanness.

Iron Tribe currently manages 6 Iron Tribe properties located at:

**Division 1-** 1210 NW Division Street, Gresham, OR 97030.

**Division 2-** 1230 NW Division Street, Gresham, OR 97030.

**Stark House-** 16820 SE Stark Street, Portland, OR 97233.

**Division 3-** 2617 SE 190<sup>th</sup> Ave., Portland, Oregon 97230

**Holman House-** 1521 NE Holman Street, Portland, Oregon 97119

**Clackamas Short Term-** 17518 SE River Road, Milwaukie, Oregon 97267

# Iron Tribe House Expectations

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Sometimes a situation may arise that calls for an Immediate vote of the house members. We call this an "emergency house meeting." Some of the reasons for an emergency meeting might be an Interview for a potential new house member who is in a bad situation and may not be able to wait for our regular house meeting, or a serious violation of our house policies or expectations has occurred and an Immediate consequence must be derived. Many different circumstances may be appropriate cause for an emergency house meeting. Some of these are mentioned in our Housing Guidelines.

I Rick White eagle weaver have read and understand all of the aforementioned expectations and agree to the terms set forth therein.

Signed this 18 day of the month of 20 in the year 2022.

House Member(s) \_\_\_\_\_  
\_\_\_\_\_

- Common areas; vacuum, throw rugs, sweep and mop floor's, dust and wash windows.
- Yard; pick up trash, mow, weed, and empty butt cans, maintain trash and recycling areas.

Specific instructions for each chore and expectations of cleanliness may be acquired from the House Manager or the Housing Inspector.

I RICK white eagle WEAVER agree to the terms and conditions of the aforementioned rules of this Guideline Agreement starting with the date below and ending with the terms of my month to month lease agreement.

I agree to add all sums of fine (monies) incurred by me, the tenant, to the total sum due for rent; payable on the 1<sup>st</sup> day of the following month. Non payment of these sums will result in non-payment of rent and subject to all remedies available to landlord for non-payment of rent.

**Applicant:**

Please print:

RICK white eagle WEAVER

Signature:



Date:

2/15/22

**Witness:**

Please print: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## **Petitioner's Exhibit D**

February 9, 2022

From: Paul R. Overman, Jr.  
7600 E. 75<sup>th</sup> Street  
Kansas City, MO 64138  
(816)616-0321 Cell No.

Subject: Character Letter for Richard Weaver #08855258

To whom it may concern,

My name is Paul Overman, and I am a government employee with the United States Department of Agriculture, Agricultural Marketing Service, Operation Support Branch, with 36 years of government service. I have a Bachelors' of Professional Studies (BPS) degree from Rockhurst University, of Kansas City, in Organizational Leadership. I have been a very close friend of Richard Weaver for the past 2 years. He is my friend. He is my confidant. He is my brother.

I am a youth advisor in the African Methodist Episcopal Church (AME) to young people 2 to 26 years old. I do workshops on staying in school, bullying, fake friends, human trafficking, and on depression. I also mentor grown men 24 to 40 years old, that have lost their way, and just need someone to listen and to point them in the right direction on which way to go. I have been a mentor, and tutor in the Kansas City, Missouri School District. At the time that I met Richard, I became the first man, in the Women's Missionary Society to hold the title of Conference Young People and Children's Division' Director of the Midwest Conference, which is a great honor to reach and help more young people.

Meeting Richard and sharing his vision with helping with the education and well-being needs of young men and women, we struck a bond together. I have listened to his stories, and I helped in his development of his Full Circle non-for-profit vision that he wants to start someday soon. Most of these boys that I work with and mentor, come from single family households, with no adult male direction in them. Some of these boys were very active in the streets. I was very surprised at first to find that they knew a whole lot about drugs, sex, and alcohol at their young ages. Since this was not how I was raised, and as a leader of a church program, I had to do something to change these young boys lives and perspectives, or to find that many of them would be dead by the time they were 20 years old. I looked for help to find a way to turn these boys lives around, and to make them better citizens in our communities.

Now enter Richard Weaver into my life. I met him through another inmate that I thought would be able to help me with my quest to steer my kids from a life of crime, but found out quickly everybody doesn't share the same nurturing spirit to help others as I do. Then here comes Richard. He turned out to be the perfect person to educate me on life as what my young men and boys were going through, for he himself came up from that very lifestyle that these boys know so well. He was a Godsend to me. In a short time, we became friends. With Richard's help 'WE' have saved, raised, and made wonderful young citizens of a small few of Kansas City metropolitan's own. Some have even headed to college today.

I know, that during this short time of knowing me, and helping me with these kids, that it changed his life too. His vision for his Full Circle can be nothing but a testament of his change to become a better man. I know him to be very active in the Native American culture and Pow Wows of his current prison. He calls on me periodically to help get study guides, books, and more to help other inmates and himself to better themselves. He is an accomplished artist. He is funny and smart. He is a leader. He is a changed man.

How has Richard been in prison affected my life? My life has taken on a whole new direction. People, church groups, and other organizations call on me to do workshops for their kids. I am more active in community services in my town, and I am called upon to lead fundraisers for kid groups and organizations. I am an active participant in my town in working with youth and family traumas, in getting them to the help that they need. I'm trying to find out more about working with families with incarcerated family members. Richard has certainly broadened my preconceive notion that all bad boys will become inmates one day. I now know that good boys go to jail too.

So, it is with my strongest prayer, hope, and desire, that you find my recommendation for Mr. Richard Weaver name at the top of your list to sign off on for a release. I only wish that there was a Paul and Richard for him, when he was coming up as a young kid, a young man, and even today. Please give him a second chance to remedy all his wrongs to society on this side of those prison walls.

Thank you,

*Paul R. Overman, Jr.*

Paul R. Overman, Jr.  
Friend



Letter of support for RICHARD WHITE EAGLE WEAVER #8855258

I am Rick's pen-friend from England. I have been in contact with Rick, also known as White Eagle, for about 3 years. In that time Rick has proved himself to be a kind, caring, humble and generous individual.

Rick has been through many difficult times in his life, starting with a troubled childhood. He has experienced generational trauma, violence, alcoholism, drug addiction and the tragic loss of an infant. He has suffered prejudice and mistreatment within the criminal justice system, and bears physical scars resulting from medical negligence. During his incarceration he has demonstrated great strength of character by largely resisting the repeated pressures of prison gangs. Despite all he has endured, he remains positive. He strives to overcome the challenges he faces and has a great sense of humour which is testament to his resilience. He draws strength from his Native American identity and has great pride in his Cherokee heritage. I am privileged to assist him with his indigenous language revitalization efforts and tracing his ancestry.

Rick has ambitious plans for his non-profit organisation, Full Circle Society. He shows tremendous drive and enthusiasm to make these plans a reality. All or any part of this venture would be good medicine for Native communities and beyond. Rick feels genuine remorse for his past crimes and intends to give back to society by serving others.

Rick is a talented artist and a passionate singer and drummer. His spirituality is strong and he enjoys participating in Native religious and cultural activities including Sweat Lodge and Powwow. He holds a respected place at Native Circle meetings and was thrilled to be asked to draw up some new logos for the group.

Rick has a deep love of the land. He enjoys fishing and hunting, and his dream is to own a small plot of land where he can homestead. Rick was delighted to get a job at OSCI working the greenhouse, garden and landscape, which provided him with a vital connection to the natural world. He has more recently been glad to support other inmates suffering with ill health. He has previously held down regular jobs as a firefighter, ranch/farm hand and commercial fisherman.

Rick has the determination to build a good life. I believe him to be a good person, ready to contribute and take his place in society. I am honoured to call him a friend.

Helen Colebourn

March 9<sup>th</sup> 2022

11 Sunderland Drive, Stourbridge, DY8 4LD, U.K.

**MARCH 8 2022**

**To Whom it May Concern:**

**This letter is in reference to Mr. Richard Weaver. To reflect the positive characteristics which I believe has immediate impact on his rehabilitation while incarcerated.**

**Ive known Mr. Weaver for approximately 2 ½ years via Telephone, mail and email while incarcerated in OSCI. He has exhibited a positive outlook on life and has shown inspiration. I believe if Mr. Weaver is released, his ambitious characteristics will be proven. He has expressed to me his many years of sobriety and a passion to help others.**

**My name is Carol Whiteskunk, Alcoholics Anonymous attendee & Fellow White Bison Well-briety member. I have received my 3 year chip in 2021, looking forward to 4 successful years in sobriety. I am located in Colorado. Although I reside in a different state, I will support Mr. Rick Weaver in any future endeavors.**

**Thank you for your time and patience.**

**Regards,**

**CAROL WHITESKUNK  
IGNACIO, COLORADO**

**From:** [harvey smith](#)  
**To:** [Nell Brown](#)  
**Subject:** richard weaver  
**Date:** Tuesday, March 08, 2022 4:35:30 PM

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EXTERNAL SENDER

To Whom it my concern

My names is Harvey Smith and I am 45 years of age. I writing this letter on behalf of my long time friend Richard Weaver. I have know Rich since 99 and we lived together for some time. I do know why rich is in prison and I know the whole story. This is a character letter to help rich in anyway I can. Rich has always been a big hearted guy and would give the shirt off his back. We got back in touch last year and he has told his plans when he out and I would like to help make sure he can do that. Rich has turned over a new leaf, You ask how I know we talk 3 to 4 times a week and he is not the same guy from 20 years ago. He has changed in way that would shock his own mother. He has made a charity to help young native kids and his art work he can sell will help him in that act. Rich has by all rights made me believe in him again and I know how sorry he is for his act that but him in this place.

thank you  
Harvey Smith



# **Petitioner's Exhibit E**

Full Circle Society.org

Founder and Chief  
Rick White Eagle Weaver

#### Mission Statement

Full Circle Society is nothing short of a Native American non-for-profit organization with the sole intent on ending Native American recidivism rate in Turtle Island by keeping youth and adults from entering the criminal justice system. Creating a family-based environment with nonprofit mini companies and activities, that are surrounded by a Native American drug and alcohol program called, "Wellness to Welbriety" by White Bison. Our mission is to save lives from the inside out. To provide safe and comfortable programs, for adults and juveniles, to better their lives. To make a positive impact in their community. To teach them how to heal, and to give back to their victims and families. Our mission and vision are to come together once again, as one people, as better human beings, to heal the sacred hoop of life. To bring connectedness, spirituality, wellness. To walk again in Full Circle upon the face of our Mother Earth. Please fully understand that Full Circle Society is not only for Native Americans. We are not biased in anyway. We want you to know, we offer our services to every race, religion, or identity. Everyone is welcome!

Full Circle Society is mission based and driven in providing self-sustaining employment, businesses, and positive connections within our own communities and beyond. We will also be offering employment throughout our numerous Full Circle Society – self-supporting departments and businesses such as:

- Full Circle Wildfire and Prevention and Reforestation
- Full Circle Drug and Alcohol Program
- Full Circle Native Arts
- Full Circle prison web services
- Full Circle food trucks
- Full Circle buffalo and elk ranch
- Full Circle herbs and community garden
- Full Circle guides and rentals

Full Circle Society will also provide emergency housing, food and clothing pantries, along with the "Red Arrow Fund" to all those in need. An emergency account primarily set up to fund for emergency situations for struggling people. Funded in whole by a percentage of Full Circle profits and donations to be used for emergency rent shortages, gas, food, medical and travel, etc.

Full Circle Society will also provide cultural and heritage programs, such as language courses, beading and crafts, native wilderness survival training, etc.

Full Circle Society will also support anywhere on Turtle Island, and the world, in any non-violent positive activism concerning indigenous, civil and religious rights violations, as well as to be fully involved in positive community events, and actively volunteering in our communities.

Full Circle Society will also be providing yearly pow-wow's (with no cash prizes), sticking with a more traditional structure, with local drum groups, and traveling representatives. Full Circle will also have community pow-wow grounds, an event center, a longhouse, and a traditional sweat lodge, with a full-time medicine/holy man.

Full Circle's larger mission in the end, is to have offices in major cities and states along the west coast and beyond. Full Circle Society is made up of Natives and Non-Natives who all have been through tough times, made bad decisions, criminal mistakes, and have caused pain to others or themselves. Human beings who want to make a change for the better, and choose to make a difference in their lives, and who truthfully care about all other races and traditions.

Full Circle Society is ran in a traditional tribal form of government along with 7 sworn in council members, with elections held every 7 years, excluding Founder and Chief position. With also numerous divisional administration departments.

Full Circle's other major goal is to operate fully on solar power and use recyclable energy and leave no footprint.

#### **Divisional Administration Departments**

1. Full Circle Wildfire
2. Full Circle drug and alcohol
3. Full Circle Native Arts
4. Full Circle prison web services
5. Full Circle food trucks
6. Full Circle buffalo and elk Ranch
7. Full Circle herbs
8. Full Circle guides and rentals

#### **Administrative Offices**

1. Cultural and heritage
2. Health services
3. Day Care
4. Solar, energy, water and waste
5. Financial, Business and insurance
6. Legal
7. Maintenance
8. Community outreach and 7 yurts – emergency shelter
9. Emergency housing



### **Administrative and department descriptions**

#### **Full Circle Wildfire: Prevention and Reforestation:**

Full Circle Society's goal is to make

- Wildland Firefighting Strike Team of 7 engines, 4 type 6. 2 type 4 and 1 tanker. Fully equipped along with each engine: 3 crew members, crew boss, squad boss, 1 sawyer/faller for each engine and each engine will have 1 first aid trained employee. We will work closely with the United States forest service, state B.L.M. and private companies statewide as well as Canada. We will also provide slash burning, fire proofing properties and tree planting and thinning.

Full Circle wildfire will also provide a community service outlet for city and county court systems and be a direct employer of men and women coming out of jail and prison as well as office employment following successful completion of our Full Circle drug and alcohol program per court order.

Full Circle Drug and Alcohol Program: Full Circle will be using the excellent program by "White Bison" called "Wellness to Welbriety", a Native American drug and alcohol program. We here at Full Circle Society strive to provide a more spiritual, family-based approach in our program. We strive to "eliminate" the "medical" feel of the usual in and out cash ticket types of commercial drug and alcohol programs and counseling. Throughout most of our lives here at Full Circle, we have had hands on experience dealing with drugs and alcohol abuse issues. or know of someone in our lives who does our had drug and alcohol issues, and we always ask, "why is that not working?" "Why is there no change?" "What does it take to make it the first time?" "Why, as human beings, can't we come together as a group, as a family, and heal each other from our spiritual being to our fleshy vessels?" "To re-connect with our families and communities?" The answer is "Family" without it, we crumble. Full Circle Society will have 7 female beds and 7 male beds, to ensure a 1 on 1 family-oriented atmosphere, along with emphasizing, on meditation, and hands on lessons in our local mountains and streams. Including Native American spiritual teachings, bringing an innocent Mother Earth based healing, being once again good spiritual human beings, set free of our pains, sorrows and fears, to become once again "spiritually connected and tuned" and to become a positive influence in our communities. We truly care about you and want nothing more than to help you regain your lost self, as we all have become lost at times ourselves and most likely will again, but with the support of each other, will we ever truly be lost? We pray you come to see us and join our program.

### **Full Circle Drug and Alcohol Program**

- Consists of the following trained staff and professionals:
  - Physicians
  - RNA's
  - CRNA's
  - Drug and Alcohol Councilors

- Prescriber
- Security Personal
- Yoga Instructor
- Wilderness Instructor
- Spiritual Advisor/Holy Man

**The building itself will contains:**

- Female Dorm
- Male Dorm
- Female bathroom/shower (double)
- Male bathroom/shower (double)
- Crash Rooms
- Small medical clinic w/basic emergency eq.
- Community Room w/game room – no violence involved video games
- Quiet, Meditation Area
- Community Kitchen

**Full Circle Society Drug and Alcohol Program**

Will take cash, insurance, Bureau of Indian Affairs (BIA), and also work closely with the state court systems and county probation, and parole offices for state and county ordered drug and alcohol programming, and small cases on a pro-bono fund, to provide counseling for certain individuals who cannot afford treatment, for the individual and public goal.

**Full Circle Native Arts**

The soul purpose is to provide ways for inmates (and non) to have a place to sell or donate their artwork. Through our website, tribal office, pow-wows, and community events, fairs, one can either donate their work or sell it to us or put on consignment at a 30% rate which 15% goes directly into the Full Circle “Red Arrow Fund”. We will also provide this service to the public, along with constraints and disclaimer. There will be no violent art, sexual, or gang related material allowed. If art of that nature is submitted, it will be destroyed.

**Full Circle Prison Web Services**

Our mission is to provide steady fair web services for inmates, i.e., phones, reprints, email service, Facebook accounts, go fund me, etc., all at affordable costs to inmates as we all know how overpriced most companies are compared to an inmate.

- For employment income, as most inmates don't have family left and are desperate to reach out into the world. Prices soon to follow, along with contract, disclaimer –



absolutely no violence, nudity, gang activity, nor contacting victims is allowed, and will be reported to the police.

### **Full Circle Food Trucks**

Full Circle will have a community-based food truck travelling around our communities and local events. Serving local and traditional native cuisine, all harvested and picked in a sacred way, supplied by our herb and garden, and buffalo and elk ranch, as well as wild harvests. Serving frybread, frybread tacos, with a traditional pre contact diet of meat and fish, berries and roots, and native smoothies. Full menu and prices coming soon.

### **Full Circle Buffalo and Elk Ranch**

This small ranch will raise buffalo and elk (but also chickens for meat and eggs). This meat will be sold locally and afar and will provide meat for our food trucks as well as food pantry and yearly donates for prison pow-wows. All with USDA approval and certification.

### **Full Circle Herbs and Community Garden**

Full Circle Society will be growing our own herbs and as well as harvesting wild plants and roots to sell and donate to prison native sweat lodges.

- As well as sell to the community. Our customers will know that these herbs raised and harvested will be done in a native way, giving offerings and prayers, and respect to our Mother Earth. We know how hard it is to get religious herbs in prison and for spiritual use. We will also have a community as well as our pantry and food truck and pow-wow food requirements.

### **Full Circle Guides and Rentals**

Our guide service will solely provide service for Lake Billy Chinook, Lake Simtustus, the Deschutes River, and central Oregon lakes. We will offer guided trips year-round for fishing and sightseeing. Fishing primarily for rainbow and brown trout, kokanee, steelhead and salmon, and Lake Billy Chinook and Simtustus Lake scenic tours. We will provide fully loaded guide boats, four guests per boat. All gear provided w/meals and beverages. We will also provide guided day hikes along Deschutes River and Green Ridge. We will have 2 pontoon and 7-12-foot rental boats for self-guided rentals, and free fish cleaning and local taxidermy if desired. Prices coming soon.

- All 8 of these departments/divisions are set up to work together in hopes to fully self-support our mission statement.



- We will also be seeking out tribal support throughout Oregon as well as community, state, federal support, and financial donations. Full Circle Societies' larger goal is to have an office in all major cities in Oregon. We fully understand the large scale of our dream and our motivation is to pick one department and add from there.

Statement from Founder and Chief

Osiyo! Not to long ago, I was speaking to an Elder, and well, complaining about life in prison, and the world. He just looked at me and said in a hard tone, "Well what are you doing about it White Eagle?" I just felt as if I was punched straight in my soul. Right then I knew exactly what I was meant to do. All this basically came to me in a dream, in 2016. Most of my life, I've gone through some tough times and I have taken from and hurt some people and been a negative impact to my communities. Now after realizing what it's done to my family and children, all I strive to do is to find a way to give back and to walk in full circle, and to provide an opportunity for others to do as well. I pray this organization has touched you enough to want to be apart of, and if so, please feel free to contact me, and if this something you wish to be apart of in anyway, I will send you the pledge. If you have any offerings of wisdom, or donations, or wish to help and support, please feel free to contact me and our members. A-ho

Wado. (Thank you)

Eanigada-Qusdi-Idadadvhn  
(All relations in creation)  
NVWADOHIYADA  
(Harmony & Peace to you)

Rick White Eagle Weaver  
Founder and Chief  
#8855258  
Oregon State Correctional Institution  
3405 Deer Park Drive SE  
Salem, OR 97310

## **Petitioner's Exhibit F**

## Judge blasts Oregon prisons doctor; says must follow CDC rules

👤 Nick Budnick 📅 January 30 2021

**Marion judge requires beefed-up COVID-19 safety measures, recognizes arbitration process for prisoners seeking release.**

A Marion County judge this week blasted the doctor in charge of health care at Oregon's prisons, approving a settlement that essentially requires the state to follow Centers for Disease Control guidelines.

The decision comes as dozens of lawyers around Oregon have been waging a campaign to secure early release for clients who are particularly vulnerable to COVID-19. In filings around Oregon they've argued Gov. Kate Brown and the Oregon Department of Corrections are not ensuring safety or releasing vulnerable inmates as they should in light of the disease's rapid spread in Oregon's prisons (<https://www.oregon.gov/doc/about/pages/prison-locations.aspx>).

More than 12,600 people are incarcerated in the state's facilities.

"We are disappointed with and disagree with Judge Burton's ruling," said Jennifer Black, a communications manager for the department, adding that she could not comment further on the pending case.

The Jan. 27 ruling, issued by Circuit Judge Claudia M. Burton, found that Dr. Warren Roberts, the Chief Medical Officer for the Oregon Department of Corrections, was evasive and unconvincing while defending the treatment of Richard F. Weaver, Jr., an inmate at the Oregon State Correctional Institute in Salem.

[Click here to read the opinion. \(https://pamplinmedia.com/documents/artdocs/00003694829859-0825.PDF\)](https://pamplinmedia.com/documents/artdocs/00003694829859-0825.PDF)

In a judgment settling the case, Burton also recognized a process under Multnomah Circuit Judge Benjamin Souede to oversee negotiated resolutions to Weaver's case and others like it.

The state's lawyers consented to a set of measures including more testing for inmates, strengthened vaccination assurances and an agreement to improve handwashing, sanitation, physical distancing and enforcement of mask requirements.

[Click here to read the order. \(https://pamplinmedia.com/documents/artdocs/00003694829905-0825.pdf\)](https://pamplinmedia.com/documents/artdocs/00003694829905-0825.pdf)

"I talked to my client today and read it him, and he just cried," said Portland defense lawyer Tara Herivel, who has been coordinating the effort by about 30 attorneys to research prison conditions and file petitions to shorten clients' sentences.

Burton's ruling focused on Roberts in particular, saying his credibility in defending the corrections department's care was lacking.





"Dr. Roberts' technical competence as a physician is at least questionable," Burton wrote. "At best, he had a poor understanding of his obligations under the corrective action agreement and the requirements to maintain his board certification. At worst, he was intentionally dishonest with regard to these matters. I agree with plaintiff that Dr. Roberts is an unreliable witness who lacks credibility."

In 2011, Weaver was sentenced to 25 years in prison after pleading guilty to attempted murder and two counts of robbery for attacking a tool shop owner in Salem with a claw hammer.

His sentence calls for him to be released no sooner than 2035.

In prison, however, the treatment Weaver received for his asthma, chronic bronchitis and an injured left wrist at times amounted to "deliberate indifference," Burton wrote.

For instance, the judge cited the department's restrictions on supplying Weaver with new inhalers, even after he contracted COVID-19.

"For 22 days in the fall of 2020 he did not have access to an inhaler at all, even when he was suffering from COVID-19. The lack of adequate access to an inhaler is a risk to plaintiff's life," the judge wrote, adding that the state corrections department "offered no evidence, either in terms of cost or risk of any adverse consequences, of any rational reason to restrict plaintiff's access to an inhaler to such a degree."

Similarly, regarding Weaver's injured wrist and pain problems, the state "has repeatedly been put on notice of the issues and failed to meet the standard of care," Burton wrote.

The judge noted that Roberts has been the subject of a number of disciplinary or legal sanctions, including a \$4 million malpractice verdict against him in 2017 and actions by the Oregon and Colorado medical boards accusing him of substandard care.

Black, the corrections spokeswoman, defended Roberts as an "exceptional physician," adding that "We firmly believe that the Department of Corrections provides high-quality health care and services to the approximately 13,000 people in our care and custody, even during the difficult challenges presented by the global COVID-19 pandemic."

She said Brown has issued commutations or sentence relief to more than 240 vulnerable inmates and approved commutations for more than 140 others.

Herivel said the problem goes beyond one doctor, adding that negligent practices are driving the disease's spread in the state's facilities. She said more inmates should be released.

"They're not separating people who are positive and negative," she said. "They are not telling people that they have tested positive for a really long time, if ever, and then they send them back to units."

To date, 43 Oregon inmates have died in state facilities in connection with COVID-19 since the pandemic began, according to the state. So far, more than 1,300 medically vulnerable prisoners have been vaccinated (<https://www.opb.org/article/2021/01/22/oeragon-prisons-lawsuit-covid-19-vaccine/>).

Herivel said she is pleased by the victory, but is concerned that the disease continues to spread inside facilities.

"I think we're making some impact," she said, but for some, "it's coming too late."



Claudia M. Burton  
Senior Judge

Office Location:  
100 High St. Salem, Oregon



CIRCUIT COURT OF OREGON  
THIRD JUDICIAL DISTRICT  
MARION COUNTY COURTHOUSE  
PO BOX 12869  
SALEM, OREGON 97309-0869

Chambers: Room #1440  
Courtroom: 1 B

Phone: 503-584-7713

January 27, 2021

Matthew Maile  
Attorney at Law  
1162 Court St NE  
Salem OR 97301  
Matthew.maile@doj.state.or.us

Tara Herivel  
Attorney at Law  
811 SW Naito Pkwy  
Portland OR 97204  
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RE: Richard Weaver Jr v. Garrett Laney, Colette Peters  
Marion County Circuit Court Case No. 20CV19928

Dear counsel:

As you are aware, this matter was tried before me via Webex on January 26, 2021. Prior to trial, the parties settled plaintiff's claims regarding alleged inadequate precautions against covid-19, and the case proceeded to trial regarding plaintiff's claims regarding alleged inadequate medical treatment. I took the matter under advisement at the conclusion of the trial, and this letter sets forth my opinion.

### **FINDINGS OF FACT**

Plaintiff is a 46-year old inmate (also "AIC" – adult in custody) at the Oregon State Correctional Institute ("OSCI"), a prison operated by the Oregon Department of Corrections ("ODOC").

Plaintiff suffers from a history of poorly controlled asthma and chronic bronchitis. In October of 2020, he contracted covid-19. Although he has recovered from covid-19, he continues to have lingering effects. His exercise tolerance is significantly reduced, and he becomes winded and short of breath when walking short distances or climbing stairs. He is prescribed an albuterol "rescue" inhaler. This is a critical item and could literally save his life in the event of an asthma attack. Since contracting covid, he needs to use the inhaler approximately twice as much as before. His prescription allows him to use the inhaler for two puffs up to 4 times a day; thus up to 8 puffs a day. However, he is only allowed 1 inhaler every 120 days, and there are 90 puffs in one inhaler. There are insufficient doses in the inhaler for him to receive 8 puffs a day for 120 days; indeed, there are insufficient doses for him to receive one puff per day for 120 days.

Plaintiff has requested inhalers at times when he runs out “early” only to be told that he must wait until 120 days since his last one was issued. Therefore, plaintiff rations use of his inhaler, using less than the prescribed amount. In addition, for 22 days in the fall of 2020 he did not have access to an inhaler at all, even when he was suffering from covid-19. The lack of adequate access to an inhaler is a risk to plaintiff’s life. Defendant offered no evidence, either in terms of cost or risk of any adverse consequences, of any rational reason to restrict plaintiff’s access to an inhaler to such a degree.

While chest xrays of plaintiff appear normal, peak flow rate testing of his lungs performed on December 2, 2020, showed readings of 450, 400, and 430. These are abnormal readings; given plaintiff’s height his readings should be in the 600’s. Plaintiff has repeatedly complained of shortness of breath to ODOC. Given his history of asthma, bronchitis, and covid-19, as well as his abnormal peak flow rate testing, the standard of care would be for plaintiff to be referred to a pulmonologist for pulmonary function testing.

In approximately October of 2020, plaintiff fell and injured his left wrist. Since then, he has had constant pain. The pain control offered by ODOC has been inadequate and inappropriate. His pain has not been adequately controlled, and he has repeatedly complained to ODOC regarding his pain. He has been prescribed the anti-inflammatory Celebrex for pain, but besides being ineffective, this is contraindicated for him because of his history of peptic ulcers. Hypermobility of his carpal bones was noted by a physical therapist. The standard of care requires that plaintiff have an MRI of his wrist and be allowed to consult with an orthopedic surgeon. Shortly before trial, plaintiff was finally approved for an MRI of his wrist. However, ODOC has declined to say whether he will be referred to an orthopedic surgeon.

Plaintiff also suffers from generalized chronic pain, including cervical and thoracic pain. He has also repeatedly complained of this condition to ODOC. Interventions have been attempted but have failed. The standard of care requires that he be evaluated by a pain control specialist.

To the extent that there was evidence in the record contrary to the findings above, that evidence came from Dr. Warren Roberts, the Chief Medical Officer for the Oregon Department of Corrections.

Dr. Roberts has been the subject of multiple medical malpractice claims. While the court could not discern the outcome of these from the records submitted (and the court fully recognizes that frivolous claims can be filed); Dr. Roberts admitted that one claim resulted in a jury verdict in 2017 of over four million dollars against him. In 2011, the Colorado Medical Board issued a letter of admonition against Dr. Roberts finding that his treatment of a patient in 2007 “fell below the generally accepted standards of practice for a neurosurgeon.” In 2014, the Oregon Board of Medical Examiners initiated a formal complaint against Dr. Roberts. As amended in 2015, the complaint alleged inadequate care by Dr. Roberts of 5 patients (in addition to the Colorado incident).



In 2015, as a result of a dispute with a hospital, Dr. Roberts ceased performing surgery. In January of 2020, the Oregon Board of Medical Examiners resolved the previously issued complaint against Dr. Roberts by a non-disciplinary corrective action agreement. Paragraph 4.1 of the agreement required Dr. Roberts to complete a one-year mentorship program under which a mentoring physician would conduct ongoing chart review of Dr. Roberts' patients and meet weekly with Dr. Roberts to discuss patient care issues. Paragraph 4.2 provided that if Dr. Roberts wished to resume a surgical practice, he was required to submit a re-entry plan to the Board for approval.

Dr. Roberts has not had a mentoring physician since July of 2020. He has not submitted a re-entry plan to the BME to resume a surgical practice.

Prior to being confronted with the actual corrective action agreement, Dr. Roberts testified that he was currently able, under the agreement, to perform neurosurgery. According to both his declaration and his testimony, Dr. Roberts is board certified in neurosurgery. Dr. Roberts testified that his board certification is in good standing. However, he is out of compliance with the annual continuing certification requirements to maintain that certification in good standing. According to Dr. Roberts' declaration, he provides care to AICs at all ODOC facilities. He also physically examined plaintiff on January 21, 2021. These activities would not appear to comply with paragraph 4.1 of the corrective action agreement, as there is no mentor conducting chart reviews or weekly meetings with Dr. Roberts regarding these patient care activities; and there has not been for over 6 months.

In short, Dr. Roberts' technical competence as a physician is at least questionable. Dr. Roberts' testimony regarding his professional difficulties was evasive. At best, he had a poor understanding of his obligations under the corrective action agreement and the requirements to maintain his board certification. At worst, he was intentionally dishonest with regard to these matters. I agree with plaintiff that Dr. Roberts is an unreliable witness who lacks credibility.

### **LEGAL ANALYSIS**

To establish a habeas corpus claim under the 8<sup>th</sup> Amendment of the United States Constitution for failure to provide medical care, plaintiff must establish deliberate indifference by ODOC to his serious medical needs. *Estelle v Gamble*, 429 US 97, 104; 97 S Ct 285, 291, (1976). Oregon has adopted the same standard to state a claim under Article I Section 16 of the Oregon Constitution. *Billings v Gates* 323 Or 167, 180-181; 916 P2d 291, 299-300 (1996). A medical condition is "serious" if, left untreated, it would "have a significant adverse effect on an inmate's daily activities, resulting in substantial and recurring pain or discomfort, or would create a significant risk of permanent disability or death." *Id.*, 323 Or at 181; 916 P2d at 300. In *Billings*, failure to provide arch supports was sufficient to state a claim.

Here, the failure to provide proper care for plaintiff's respiratory issues impairs his ability to exercise or even walk short distances and creates a risk of death from respiratory failure. The failure to treat his wrist injury has created serious pain for several months. Similarly, his chronic pain syndrome causes...(at the risk of redundancy) chronic pain.

Deliberate indifference is first and foremost established by the refusal to provide plaintiff with sufficient inhalers. From the dose prescribed and the number of puffs per inhaler, it would be obvious that the inhalers supplied are insufficient to allow plaintiff to take the prescribed dose, and there was no evidence as to any reason not to provide plaintiff with an adequate supply of inhalers. Both with regard to plaintiff's wrist pain and his chronic pain syndrome, defendant has repeatedly been put on notice of the issues and failed to meet the standard of care.

As defendant points out, a mere difference of medical opinion is insufficient to constitute deliberate indifference. *Id.* There are two problems with this. First, I have already found that ODOC's care of plaintiff falls below the standard of care. I fail to understand how care outside the standard of practice could be the result of any reasonable difference of medical opinion. Second, defendant's entire defense of its medical treatment of plaintiff was based on the testimony of Dr. Roberts, who as noted above, is simply not a reliable witness.

Plaintiff has established violations of the 8<sup>th</sup> Amendment and Article I Section 16 of the Oregon Constitution.

### **REMEDY**

Defendant shall arrange for plaintiff to see a pulmonary specialist for pulmonary function testing and such other diagnostic workup as that specialist recommends, and shall follow the treatment recommendations of that specialist. Defendant shall immediately make sufficient inhalers available to plaintiff to allow him to use the prescribed amount, i.e., up to 8 puffs per day. Defendant shall ensure that plaintiff consults with an orthopedic surgeon following his wrist MRI and shall comply with that physician's treatment recommendation. Pending such treatment, defendant shall immediately implement effective pain control measures for plaintiff's wrist. Defendant shall ensure that plaintiff is seen by a pain control specialist regarding his chronic pain syndrome and shall follow the treatment recommendations of said specialist. Defendant shall pay plaintiff's filing fee.

Counsel  
January 27, 2021  
Page 5

This court, as requested by plaintiff, retains jurisdiction to ensure compliance with the court's orders.

Would Ms. Herivel please submit the judgment?

Sincerely,

*Claudia M. Burton*

Claudia M. Burton  
Senior Judge



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF WASHINGTON

RICHARD WEAVER,

Plaintiff,

v.

GARETT LANEY, Superintendent,  
Oregon State Correctional Institution,

Defendant.

Case No. 20CV19928

STIPULATION OF THE PARTIES, ORDER  
APPOINTING SETTLEMENT COMPLIANCE  
JUDGE, AND LIMITED JUDGMENT OF  
DISMISSAL OF COVID-19 CLAIMS WITHOUT  
PREJUDICE

**HABEAS CORPUS**

**ORS 20.140 - State fees deferred at filing**

By their signatures below, the parties in the above-captioned case, through  
counsel, stipulate and agree to resolve this matter on the following terms:

1. The spread of COVID-19 is a public health crisis that requires urgent action,  
and that Adults in Custody ("AICs") within the Oregon Department of Correction's  
("ODOC") correctional facilities are among those individuals who are more vulnerable to  
COVID-19.

2. Given the urgent nature of the pandemic, the parties agree that a  
negotiated resolution, facilitated by Multnomah County Circuit Court Judge Benjamin  
Souede, is a more effective and efficient means of resolving the disputes presented in this  
case. The parties acknowledge that similar cases will be resolved using this framework,  
but this agreement is solely between the plaintiff and ODOC in the present case.

3. In recognition of the urgency of the COVID-19 crisis, and in an effort to  
demonstrate its commitment to responding to plaintiffs, the AIC population, and the

1 general public, ODOC affirms its commitment to take all reasonable and available steps  
 2 to protect AICs from harm resulting from the pandemic. Specifically, ODOC will comply  
 3 with the following COVID-19 guidance (collectively referred to as "Guidance"):

4 a. The Oregon Health Authority's ("OHA") "Interim Guidance on  
 5 Management of [COVID-19] in Correctional and Detention Facilities", last updated  
 6 December 16, 2020.

7 b. The Centers for Disease Control's ("CDC") "Interim Guidance on  
 8 Management of [COVID-19] in Correctional and Detention Facilities", last updated  
 9 December 31, 2020.

10 c. Oregon Occupational Safety and Health Division's ("OSHA")  
 11 "Temporary Rule [OAR 437-001-0744] Addressing COVID-19 Workplace Risks" and  
 12 "Mandatory Workplace Guidance for Jails, Prison, and Other Custodial  
 13 Institutions", effective November 16, 2020.

14 d. Any updates to the Guidance listed above issued during the  
 15 pendency of the pandemic will supersede the outdated version and will be  
 16 followed.

17 4. In addition to its agreement to comply with the Guidance, ODOC also  
 18 agrees to take the following COVID-19 prevention measures that are not expressly listed  
 19 in the Guidance:

20 a. Quarantine and medical isolation should not be punitive. ODOC  
 21 will ensure privileges are not lost and conditions are humane while AICs are in  
 22 medical isolation and quarantine. ODOC will make all available efforts to provide  
 23 access to medical checks, access to information regarding medical isolation and  
 24 quarantine, mental health care, showers, phones, books, tablets, and recreation  
 25 time while AICs are in quarantine or medical isolation. No AIC shall lose earned

1 time, housing designation, or eligibility for early release programs solely as a result  
2 of quarantine or medical isolation.

3 b. ODOC will ensure that AICs who contract COVID-19 will receive  
4 adequate care both during and after their COVID-19 infection per the protocols set  
5 forth in the CDC and OHA Guidelines.

6 c. ODOC will take all reasonable and available measures to ensure that  
7 any AIC who requests a COVID-19 test will be provided a test. Recognizing that  
8 stigma may be attached to individual requests for tests, ODOC shall make testing  
9 available broadly to the entire population of any given facility.

10 d. ODOC will employ to its best ability additional strategies for social  
11 distancing within its current facility, including: placement of spots with six feet of  
12 distancing on the flooring anywhere queues form; staggering dining, medication  
13 line and recreation groups; and moving or limiting use of exercise equipment to  
14 ensure distance of six feet between users.

15 e. ODOC will take additional measures to provide sanitation and  
16 handwashing and shall take reasonable measures to ensure access to sanitation  
17 and handwashing. ODOC will ensure cleaning materials including disinfectant  
18 shall be available to AICs in all congregate areas for high touch surfaces. ODOC  
19 shall provide signage to enforce use of the disinfectant at high touch areas, and  
20 instruct its staff to encourage use of cleaning materials in such areas. ODOC will  
21 also take additional measures to provide additional handwashing and hand  
22 sanitization measures (including provision of alcohol-based hand sanitizer where  
23 feasible) and alcohol-free hand sanitizer where there is not an effective means for  
24 hand washing.  
25



1           f. To the greatest extent possible, ODOC shall ensure that AICs who  
2 are COVID-19 positive and in medical isolation shall not come into contact with  
3 AICs who are not COVID-19 positive and are not in medical isolation.

4           g. ODOC will require anyone entering ODOC property to wear a mask  
5 or face covering in any indoor work setting or other indoor premises regardless of  
6 distance from others unless they are in a private, individual office not shared by  
7 anyone else; or they are actively eating or drinking and at least six (6) feet of  
8 distance can be maintained between other people. ODOC will enforce this  
9 requirement through progressive discipline.

10       5. The parties recognize that monitoring and enforcement of the COVID-19  
11 prevention measures within ODOC facilities is essential for ensuring compliance with the  
12 Guidance and the terms of this agreement. ODOC therefore agrees to the following:

13           a. ODOC will continue with unannounced audits of its facilities by the  
14 infection readiness review teams.

15           b. ODOC will respond to all complaints made to Oregon Occupational  
16 Safety and Health Association ("OSHA") and provide copies of those responses to  
17 counsel for plaintiff when requested, and it will continue to encourage OSHA to  
18 inspect any of ODOC facilities.

19           c. ODOC will designate an AIC or multiple AICs at plaintiff's facility  
20 who is eligible to accompany the institution COVID-19 compliance manager at the  
21 facility (or the Officer in Charge, where there is not a separate COVID-19  
22 compliance manager) on internal facility inspections, subject to exclusion from  
23 secure and confidential locations that AICs are not permitted to enter. The AIC or  
24 AICs shall accompany the compliance manager at least weekly.  
25

1 d. Whenever there is a concern regarding compliance with this  
2 agreement, plaintiff's counsel shall be provided with reasonable access to the  
3 documents, video, and information necessary to review and investigate whether  
4 ODOC is in compliance with this agreement. Any documents disclosed under this  
5 provision shall be marked "confidential" and shall not be disclosed to plaintiff or  
6 any AIC or used for any purpose except in conjunction with enforcing this  
7 agreement.

8 e. ODOC also agrees to make random video available to a  
9 representative of plaintiff's counsel to determine compliance with this agreement.  
10 A representative for all plaintiffs in the collective COVID-19 habeas actions can  
11 collectively request, on a weekly basis, up to five hours of security video of  
12 particular areas of institutions. ODOC shall either comply with this request in a  
13 reasonable amount of time or inform plaintiff's counsel of security or logistical  
14 issues that would preclude disclosure of the requested video, and offer any  
15 acceptable substitute video. Any video disclosed under this provision shall be  
16 marked "confidential" and shall not be disclosed to plaintiff or to any other AIC or  
17 used for any purpose except in conjunction with enforcing this agreement. No  
18 copies of any video made available by ODOC shall be made, provided, or disclosed  
19 to any person in any manner, including via the internet through use of social  
20 media or other web-based services or sites. Any video provided shall be returned  
21 to ODOC at the conclusion of litigation and not retained.

22 f. Subject to both resource and security limitations, plaintiff's counsel  
23 or an authorized representative shall be permitted to accompany the institution  
24 COVID-19 compliance manager (or the Officer in Charge where there is not a  
25

1 separate COVID-19 compliance manager) to inspect locations within the facility to  
2 ensure compliance with this agreement.

3 g. ODOC will comply with statutory requirements concerning the  
4 authority of the Corrections Ombudsman, which the parties jointly acknowledge  
5 was recently funded by the Oregon legislature for the specific purpose of reviewing  
6 ODOC's COVID-19 prevention measures.

7 6. In recognition of the central role that vaccines will play in ending the  
8 pandemic and protecting the health of AICs, defendants acknowledge that most AICs will  
9 be included in Phase 1b of the vaccine rollout. The parties also acknowledge and stipulate  
10 to the following:

11 a. ODOC will undertake all reasonable and available measures to  
12 vaccinate any AICs in the 1a category, as defined by the Oregon Health Authority,  
13 once sufficient vaccines are available.

14 b. AICs who are 65 and older are eligible for vaccines beginning January  
15 22, 2021. ODOC will undertake all reasonable and available measures to vaccinate  
16 AICs over 65 once sufficient vaccines are available.

17 c. Any additional decisions regarding the priority of AICs within 1b will  
18 be made by the State of Oregon after receiving necessary input from the Oregon  
19 COVID-19 Vaccine Advisory Committee ("VAC") or other state entities. No  
20 additional representations are made regarding vaccine priority within 1b as part of  
21 this agreement.

22 d. Plaintiff, their attorney, and their representatives are permitted and  
23 encouraged to advocate for a higher priority within 1b directly with the VAC or any  
24 other state entity, excluding ODOC.  
25



1 e. ODOC will undertake all reasonable and available measures to  
 2 vaccinate all AICs once priority is established and vaccines are made available. So  
 3 long as supplies are available, AICs will receive two doses, the second 28 days  
 4 following the first, per the Moderna protocols required for fully effective  
 5 vaccinations at this time. Should Moderna protocols change, ODOC will adhere to  
 6 those protocols.

7 7. In exchange for the commitments set forth above, plaintiff agrees to dismiss  
 8 their COVID-19 conditions claims without prejudice. This action shall otherwise remain  
 9 pending, and plaintiff shall be permitted to proceed on any allegations that ODOC is  
 10 failing to provide them adequate medical care or treatment for conditions other than  
 11 COVID-19. Should plaintiff proceed on independent medical claims following dismissal  
 12 of their COVID-19 conditions claims, they will strike through the conditions claims in any  
 13 relevant pleading that are covered by this agreement, rather than be required to amend  
 14 their current replication to ensure there is no procedural delay to their case. Plaintiff also  
 15 may file an amended replication that only addresses independent medical claims.

16 8. The parties stipulate that Judge Souede will serve as Settlement Compliance  
 17 Judge to ensure compliance with the terms of this settlement agreement, subject to the  
 18 following terms and conditions:

19 a. Defendants are required to substantially comply with the terms of  
 20 this agreement. Plaintiff may seek to remediate any lack of substantial compliance  
 21 that presents an ongoing risk of harm to plaintiff or results in a denial of the  
 22 monitoring measures set forth in paragraph 4.

23 b. The parties shall attempt to first resolve disputes concerning the  
 24 settlement agreement informally prior to addressing issues directly with Judge  
 25 Souede, unless the dispute is of an emergency nature involving immediate harm.

Page 7 - STIPULATION OF THE PARTIES, ORDER APPOINTING SETTLEMENT COMPLIANCE JUDGE, AND  
 LIMITED JUDGMENT OF DISMISSAL OF COVID-19 CLAIMS WITHOUT PREJUDICE

1 Non-emergency alleged violations shall be conferred upon by the parties in an  
 2 expedited manner.

3 c. In the event that the parties are unable to resolve any disputes  
 4 concerning this agreement, the plaintiff may present to Judge Souede evidence  
 5 that ODOC is not substantially complying with the terms of this agreement, and  
 6 that the lack of substantial compliance presents an ongoing risk of harm to  
 7 plaintiff. Group submissions are permitted so long as each individual plaintiff has  
 8 standing to enforce this agreement.

9 d. Plaintiff's submissions should be in the form of a filed motion for  
 10 enforcement, an accompanying legal memorandum (not to exceed 5 pages except  
 11 with prior leave from Judge Souede), and any accompanying declarations or  
 12 evidence. Defendants shall have three business days to respond to plaintiff's  
 13 submissions, subject to the same limitations.

14 e. Upon receipt of the parties' submissions, Judge Souede shall  
 15 determine whether additional argument or evidentiary submissions are necessary,  
 16 and shall render a written decision in an expedited manner.

17 f. In the event that Judge Souede finds that defendants have not  
 18 substantially complied with the terms of this agreement, and that the lack of  
 19 substantial compliance presents an ongoing risk of harm to plaintiff, then Judge  
 20 Souede shall have the authority to order ODOC to remedy the breach.

21 g. In the event that defendants willfully decline to remedy any alleged  
 22 breach, and Judge Souede finds that no other remedies are effective, he shall have  
 23 the authority to impose remedial or punitive sanctions on ODOC.

24 h. The parties stipulate and agree that Judge Souede's written order  
 25 shall be the final resolution of any disputed submitted in accordance with this

1 agreement. The parties hereby forsake and waive any rights of appeal or to seek  
 2 other judicial review for disputes arising from concerns regarding whether  
 3 defendants are in compliance with this agreement in the above-noted case.

4 9. In reaching this agreement, ODOC expressly rejects any assertion, in this  
 5 proceeding or otherwise, that it is violating the rights of plaintiffs or any other AICs with  
 6 respect to its COVID-19 response. ODOC's documentation of its commitments within  
 7 this agreement is not to be construed as an admission or proof of any liability or fault  
 8 whatsoever on the part of ODOC or any agent or employee of ODOC.

9 10. Plaintiff is the only individual who has standing to enforce this agreement.  
 10 Plaintiff shall have standing to enforce this agreement until either plaintiff is released, is  
 11 fully vaccinated against COVID-19 (including the first and second doses), or is offered the  
 12 COVID-19 vaccination and declines.

13 **ORDER OF THE COURT AND LIMITED JUDGMENT OF DISMISSAL:**

14 Based on the stipulation of the parties, this Court hereby APPOINTS the  
 15 Honorable Benjamin Souede as the Settlement Compliance Judge for purposes of  
 16 ensuring compliance with this settlement agreement, and DISMISSES plaintiff's COVID-  
 17 19 conditions claims. Plaintiff may strike through the conditions claims in any relevant  
 18 pleading that are covered by this agreement or may file an amended replication that only  
 19 addresses independent medical claims.

20 DATED this \_\_\_\_\_ day of January, 2021.

Signed: 1/27/2021 03:39 PM



24 **Senior Judge Claudia M. Burton**



1 **SO AGREED TO BY THE PARTIES:**

---

2  
3  
4   
5 **RICHARD WEAVER #8855258**  
6 Plaintiff

DATED this 25 day of January, 2021.

7 s/ Tara Herivel  
8 **TARA HERIVEL #070418**  
9 On Behalf of Plaintiffs

DATED this 27 day of January, 2021.

10  
11 s/ Matthew Maile  
12 **MATTHEW MAILE #181761**  
13 Assistant Attorney General  
14 On behalf of Defendants

DATED this 27 day of January, 2021.

15  
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Page 10 - STIPULATION OF THE PARTIES, ORDER APPOINTING SETTLEMENT COMPLIANCE JUDGE, AND  
LIMITED JUDGMENT OF DISMISSAL OF COVID-19 CLAIMS WITHOUT PREJUDICE

Law Office of Tara Herivel, LLC  
811 S.W. Naito Parkway, Suite 420  
Portland, Oregon 97204  
Phone: (503) 893-5525  
Tara@heriveldefense.com

**Ex. F, Page 17 of 19**

**CERTIFICATE OF READINESS**

This proposed **STIPULATION OF THE PARTIES, ORDER APPOINTING SETTLEMENT COMPLIANCE JUDGE, AND LIMITED JUSTMENT OF DISMISSAL OF COVID-19 CLAIMS WITHOUT PREJUDICE** is ready for judicial signature because:

1. ☒ Each party affected by this order or judgment has stipulated to the order or judgment, as shown by each opposing party's signature on the document being submitted.
2. ☐ Each party affected by this order or judgment has approved the order or judgment, as shown by each party's signature on the document being submitted or by written confirmation of approval sent to me.
3. ☐ I have served a copy of this order or judgment on each party entitled to service and:
  - a. ☐ No objection has been served on me.
  - b. ☐ I received objections that I could not resolve with a party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
  - c. ☐ After conferring about objections, [role and name of objecting party] agreed to independently file any remaining objection.
4. ☐ Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
5. ☐ This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of this rule.

DATED January 27, 2021.

s/ Matthew A. Maile  
YUFENG LUO #184009  
MATTHEW MAILE #181761  
Assistant Attorneys General  
Trial Attorneys  
Yufeng.Luo@doj.state.or.us  
Matthew.Maile@doj.state.or.us  
Of Attorneys for Defendant

**CERTIFICATE OF SERVICE**

I certify that on January 27, 2021, I served the foregoing PROPOSED STIPULATION OF THE PARTIES, ORDER APPOINTING SETTLEMENT COMPLIANCE JUDGE, AND LIMITED JUSTMENT OF DISMISSAL OF COVID-19 CLAIMS WITHOUT PREJUDICE upon the parties hereto by the method indicated below, and addressed to the following:

Tara J. Herivel  
Law Office of Tara Herivel, LLC  
811 SW Naito Pkwy, Ste. 420  
Portland, OR 97204  
*Attorney for Plaintiff*

☐ HAND DELIVERY  
☐ MAIL DELIVERY  
☐ OVERNIGHT MAIL  
☒ SERVED BY E-FILING  
☐ SERVED BY E-MAIL  
(tara@heriveldefense.com)

s/ Matthew A. Maile  
YUFENG LUO #184009  
Assistant Attorney General  
MATTHEW A. MAILE #181761  
Assistant Attorney General  
Trial Attorneys  
Tel (503) 947-4700  
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Of Attorneys for Defendant